

NATIONAL MOOT COURT COMPETITION 2025

25th and 26th March, 2025



**Department of Laws
Himachal Pradesh University
Summerhill, Shimla (H.P.) India**

DEPARTMENT OF LAWS
HIMACHAL PRADESH UNIVERSITY, SHIMLA
NATIONAL MOOT COURT COMPETITION 2025
[March 25 & 26, 2025]

ABOUT THE UNIVERSITY

Himachal Pradesh University was established by an Act of the Legislative Assembly of Himachal Pradesh on 22 July 1970 as a response to the needs and aspirations of the Union Territory, poised for full statehood in the Union of India on 25 January 1971. It is the multi-faculty residential and affiliating university in the State that provides higher education to urban, rural and tribal areas through formal and distant modes. The headquarters of the University is located at Summer Hill, the picturesque suburb of Shimla. The University has a total area of 241.11 bighas with stately buildings set among rhododendron, silver oak, pine and deodar trees. It affords a salubrious climate and congenial atmosphere for reflection, study and research. The prime objective of the University is to disseminate knowledge, advance learning and understanding through research, training and extension programmes. It instills in its students and teachers a conscious awareness regarding the social and economic needs, cultural ethos, and future requirements of the state and the country.

Himachal Pradesh University is a multi-faculty and affiliating university. It stands for knowledge, learning, progress, humanity, tolerance, intellect, morality, determination, thought, and discernment. It is a grade 'A' accredited University by the National Assessment and Accreditation Council.

The teachers of the University are rich in intellect, skills and professional expertise. HPU organises conferences, and workshops in collaboration with national and international organisations. Its Human Resource Development Centre is acknowledged as one of the best academic staff colleges in the country. HPU is the first University to offer post-graduation through the distant mode. Students of the University perform commendably at the national level in sports and cultural activities. Every year ample number of students qualify the NET, SET, JRF, and other competitive examinations. The University has garnered achievements in NSS and Youth Welfare Programmes at the national level. Tuition fee is waived for girl students and disabled students are given free education. Two supernumerary seats are reserved for the single girl child in all courses. Students come to study here not only from the state but also from other parts of the country and abroad. The University is thus playing a seminal role in all spheres for the bright future of the students.

ABOUT THE DEPARTMENT OF LAWS

The Department of Laws came into existence in 1970 when the University was established. Initially it was housed in D.A.V. School, Middle Bazar. Later it was shifted to Ava Lodge, Chaura Maidan where it remained functional for some years. The Department was relocated in the University campus in 1984 and finally shifted to its own building in 1993. Since its inception the department has been actively engaged in imparting legal education, training and legal research benefiting students desirous of pursuing their career in law. The Department has a distinction of producing best professionals, statesmen and officers rendering useful service to the nation. Its Alumni include Judges of High Courts, Union Cabinet Ministers, State Cabinet Ministers, Senior Bureaucrats, Police Officers, officers of subordinate judiciary, law officers, civil servants and members of the legal profession. Law graduates from this department are serving all over the country in the lower courts, High Courts and Supreme Court.

RULES REGULATING THE COMPETITION

1. ELIGIBILITY

Students enrolled in a full-time or part-time Bachelors' law programme at the time of the competition are eligible to compete in the Competition. Each College/Law School or University may enter one team ONLY.

2. TEAM COMPOSITION

A team consisting of three members that satisfies the eligibility Criteria can participate. Each team shall comprise of two speakers and one Researcher. A team of two speakers may also be allowed.

3. ROUNDS

The competition shall be of FOUR rounds, namely- Preliminary, Quarter Finals, Semi-Finals and Final round. There shall be no researcher's test. Following shall be the rules for Oral Presentation in each round.

PRELIMINARY ROUND

There shall be only one Preliminary round and each team shall argue for ONE SIDE ONLY. Matching of each team shall be done by the Draw of Lots. Each team will be allotted 20 minutes for the arguments. Each speaker shall speak for at least 5 minutes and in total 15 minutes for both the speakers and 5 minutes are to be reserved for Rebuttal and Sur-rebuttal. The division of time is at the discretion of the team members. The division of time must be communicated to the court clerks before commencing arguments.

If any speaker continues to speak after the completion of the allocated time, the additional time which he or she speak for will be deducted from the time allocated to his or her co-speaker, as the case may be. Time may be exceeded at the discretion of the judges.

Each speaker must introduce himself or herself to the court using only his team code given to him/ her at the time of memorial submission. Non-adherence to the rule shall cause an immediate inquiry that might lead to disqualification.

Top eight teams from the preliminary round will qualify for the quarter final round based on the score of the Preliminary Round.

QUARTER FINAL ROUND

Total of eight teams from the preliminary round will qualify for the quarter final round based on the score of the Preliminary Round. Matching of each team shall be done by the Draw of Lots. Each team will be allotted 25 minutes for the arguments. Each speaker shall speak for at least 7 minutes and in total 20 minutes for both the speakers and 5 minutes are to be reserved for Rebuttal and Sur- rebuttal. The division of time is at the discretion of the team members. The division of time must be communicated to the court clerks before commencing arguments.

If any speaker continues to speak after the completion of the allocated time, the additional time which he or she speak for will be deducted from the time allocated to his or her co-speaker, as the case may be. Time may be exceeded at the discretion of judges.

The quarter final round will be a Knock-out round where the winner of each quarter-Final Round pairings will advance to the Semi-Final Round. In case of tie, total scores allotted in Understanding of Law and Procedure will be considered to decide the winner.

Other rules governing preliminary round shall apply here.

SEMI-FINAL

Total of four teams from the quarter final round will qualify for the Semi-Final round. Matching of each team shall be done by the Draw of Lots. Each team will be allotted 30 minutes for the arguments (each speaker to speak for not less than 10 minutes) and in total 25 minutes and 5 minutes for Rebuttal and Sur-rebuttal. The Semi-Final Round will be a “Knock-out” Round where the winner of each Semi-Final Round pairings will advance to the Final Round.

In case of tie, total scores allotted in Understanding of Law and Procedure will be considered to decide the winner.

Other rules governing preliminary round shall apply here.

FINAL

Winners of each Semi-Final round will qualify for the final round. Each team will be allotted 45 minutes for the arguments (each speaker to speak for not less than 15 minutes) and in total 35 minutes and 10 minutes for Rebuttal and Sur-rebuttal. The time may be exceeded at the discretion of judges.

EX-PARTE PROCEEDING

At the outset, if a team fails to appear within 15 minutes of the scheduled time (in any of the four rounds) or in case of odd number of teams, then the oral round of the attending party may proceed Ex parte. In case failure of appearance of teams within stipulated time period, the attending party is Respondent, the party will be declared winner.

4. MEMORIALS

Each participating team shall prepare both memorials in English.

All teams are to submit their hard copies of the memorials to the organisers before the deadline specified by the organizing committee. Failure to do so will result in disqualification from the competition.

Memorials from each side should not contain more than 30 pages (which constitute summary of facts & arguments, arguments advanced and prayer) and there is no limit for minimum pages.

The memorial shall consist of following:

(i.) Cover Page (ii.) Table of Contents (iii.) Index of Authorities (iv.) Statement of Jurisdiction (v.) Summary of Issues raised/questions presented (vi.) Summary of Arguments/Pleadings (vii.) Arguments Advanced/Pleadings (viii.) Prayer for Relief (ix.) Annexure (optional)

All citations must adhere to Blue Book 20th Edition and fulfill the following requirements: - Font type Times New Roman, Font size 12, Footnotes Font type Times New Roman, Footnotes Font 10, Font Spacing 1.5, Footnote spacing 0. Memorials that do not follow the abovementioned specifications will be subject to marks deduction.

Memorial cover page shall follow the following Colour Scheme:

Petitioner-Red and Respondent- Blue

All participants must submit FOUR (4) copies of the Memorial for both sides.

The soft copy of the memorial shall also be sent through e-mail given below latest by March 18, 2025 before 5:00 pm. The memorial should be sent as an email attachment in Word format and PDF-file.

Subject of the email shall "Memorial for "team code". Please name the memorial using your team's Code and "P" for Petitioner or "R" for Respondent. For example, if you are assigned team number 555 the file name should be 555P.doc or 555R.doc.

The submission of hard copies should be done latest by March 23, 2025 to the Organisers.

ANONYMITY

Each team will be awarded a code number after registration and that number alone shall be marked on the memorials. Identity of the team or the names of the participants must not be revealed in the Memorial in any manner whatsoever. Name of the school/University shall not be mentioned on any compendium or material to be presented to the bench. Failure of compliance will lead to disqualification of such compendium or material from presentation.

5. SCORING

Following schematics will be followed in the competition for the scoring of the teams.

SCORING OF ORAL ARGUMENTS

Each speaker shall be marked on total of 100 marks by each Bench Judge. The following will be the Marking Criteria and the Marks Allocated to each category:

- (i) Understanding of Law and Procedure–30 marks
- (ii) Application of Facts–20 marks
- (iii) Ingenuity and Ability to Answer Questions– 20 marks
- (iv) Reference to Memorials-20 marks
- (v) Advocacy Skills, Court Craft and Demeanour–10 marks

Total 100 Marks and marks allotted by the judges shall be final.

SCORING OF MEMORIAL

- (i) Knowledge of Law and Extent of Research–30 marks
- (ii) Proper and Articulate Analysis, Clarity and Organization–20 marks
- (iii) Knowledge of Facts–20 marks
- (iv) Evidence of Original Thought and Grammar–20 marks
- (v) Correct Format and Citation-10 marks

Total 100 Marks and marks allotted by the judges shall be final.

6. DRESSCODE shall be strict formal wear.

Ladies - Black and white salwar/sari or pant/suit with black tie and black coat.

Gentlemen-White shirt with black tie, black trousers, black coat and black shoes.

7. MISCELLANEOUS

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. The Competition committee reserves the right, at its sole discretion, to take appropriate action for any unethical, unprofessional and wrongful conduct during the entire period of the Moot Court competition. Upon completion of the competition, the competition committee reserves the exclusive right to use the memorials submitted to them, as they deem appropriate. Participating teams should carry with them required study or reference materials for their own use during the oral rounds of competition. Team found attempting to approach and influencing Judges/Administrators/Organisers shall be disqualified. No member of any team will be permitted to hear the arguments in any court rooms in which that team is one of the contesting teams whilst that team is still in the competition.

Rules are subject to change by the organisers.

8. IMPORTANT DATES

Last date for seeking clarification – March 08, 2025

Last date of registration (Soft Copy) – March 10, 2025

Last date of registration (Hard Copy)–March 15, 2025

Last date for submission of memorials (Soft Copy) – March 15, 2025

Last date for submission of memorials (Hard Copy)–March 20, 2025

Request for clarification regarding the proposition shall be made on or before March 08, 2025 via email to nationalmootcourthpu2025@gmail.com Clarifications can be requested only for ambiguous or possible errors, but not to inquire about further information, as the proposition is self-contained.

9. AWARDS

There shall be a prize trophy, cash prize and certificate for the Winner, runners up, best memorial, and best mooter. Other awards and prizes may be declared during the prize distribution of the Competition. Certificate of Participation shall be given to all the participants.

Cash Prizes:

Winner: Rs. 10,000/-

Runner Up: Rs. 7,000/-

Best Speaker: Rs. 3,100/-

Best Memorial: Rs.3,100/-.

10. ACCOMODATION

The accommodation for all the participating teams shall be provided from 12 noon of March 25, 2025 till 12 noon of the March 26, 2025.

Travel of the teams from outstation and to/from venue of the Competition must be at team's own expense.

The maximum of three members are allowed to participate in the Competition. No team coaches shall be allowed to accompany the teams or to witness their rounds.

No internet facility shall be provided to the teams at their respective accommodation.

Himachal Pradesh University is a no smoking campus. No participating team shall indulge in smoking, drinking or any other objectionable activities. Indulgence in such activities shall invite disciplinary action and instant disqualification.

The participants will be responsible for the care of their own baggage and luggage

11. REGISTRATION AND FEES

The registration fee is Rs 3500/-.

It must be paid on or before March 10, 2025. The amount shall be transferred to:

Account Number:43406732468

Bank Name: State Bank of India (SBI)

Branch Name: Summer Hill, Shimla (H.P.)

IFSC Number :SBIN0002490

The screenshot/scanned receipt of the successful payment page shall be shared as an email attachment with the registration form for the purpose of registration. Similarly, printout of the successful payment shall be shared with the hard copy submission of the registration form.

Any Query regarding payment can be made at nationalmootcourthpu2025@gmail.com

12. CONTACT

Registration form (softcopy) and Soft copy of memorials must be sent to-

nationalmootcourthpu2025@gmail.com

Registration form (hardcopy) and memorials (hardcopy) must be sent to-

The Chairman

Department of Laws,

Himachal Pradesh University

Summer Hill, Shimla-171005.

Please specify “Moot Court Committee” at the side of envelope.

Chief Patron

Prof. (Dr.) S.P. Bansal

Hon'ble Vice Chancellor, Himachal Pradesh University, Shimla

Patron

Prof. (Dr.) Rajinder Verma

Hon'ble Pro Vice Chancellor cum Dean and Chairman, Department of Laws, Himachal Pradesh University, Shimla

Organising Committee

Prof. (Dr.) Lalit Dadwal
Prof.(Dr.) Shiv Kumar Dogra
Prof.(Dr.) Umesh Kumar
Dr. Shalini Kasmiria (Convener)
Dr. Ramesh Verma (Convener)

Advisory Committee

Prof. Sunil Deshta
Prof. Sanjay Sindhu
Prof. Runa Mehta Thakur

Joint Organising Committee

Dr. Sasha Chauhan
Dr. Abhishek Singh Negi
Dr. Geetika Sood
Dr. Vandana Thakur

Student Conveners

Mr. Rahul Singh Jagota
Mr. Kanishk
Mr. Sanidhya

Mr. Shaswat Saini
Ms. Naziya
Ms. Sheetal

HIMACHAL PRADESH UNIVERSITY

NATIONAL MOOT COURT COMPETITION 2025

MOOT PROPOSITION

1. Sindia, a country that occupies the greater part of South Asia. Its capital is Viraprastha. Its government is a Constitutional republic that represents a highly diverse population consisting of thousands of ethnic groups having different languages.
2. Sindia is a Sovereign, Socialist, Secular, Democratic and Republic with a Parliamentary Form of government which is federal in structure with unitary features. There is a Council of Ministers with the Prime Minister as its head to aid and advise the President who is the Constitutional head of the country. Similarly, in states there is a Council of Ministers with the Chief Minister as its head, who advises the Governor.
3. Women have been an integral part of Sindia's culture and society since ancient times. The status of women in Sindia has been subject to many changes over the span of recorded Sindian history. Their position in society deteriorated with the passage of time. Sindia was invaded by many invaders in the past which added to the misery of the women of Sindia and deteriorated their status. After the independence of Sindia, the Sindian people adopted their own Constitution with an objective to have their own governance structure which has compassion for the Sindian people.
4. Part III of the Constitution of Sindia guarantees certain basic rights to all the citizens of Sindia irrespective of their caste, race, birthplace, religion or gender. These basic rights are known as Fundamental Rights which are justiciable in nature. The State of Sindia is under Constitutional obligation to provide these rights to the citizen of Sindia.
5. These rights are the essential part of the Constitution of Sindia as they protect the rights and liberties of the citizens of the country against any misuse or intrusion by the government. These rights aim to achieve the goals of Justice, Liberty, Equality, Fraternity and Dignity as has been set out in the Preamble of the Constitution of Sindia.

6. Article 32 of Constitution of India provides for Right to Constitutional remedies under which any citizen of India can directly approach Supreme Court of India for the violation his/her rights given under part III of the Constitution of India.

7. The Constitution of India ensures that the government of India shall not deny to any person equality before the law or the equal protection of the laws within the territory of India. It means that the laws shall apply in the same manner to all, regardless of a person's status and it is one of the aspects of the Rule of Law.

8. In recent years, there have been many positive developments in India's efforts to empower women. The government has implemented several programs and policies aimed at improving women's health, education, and economic opportunities. There has been a significant increase in the number of women participating in the workforce, and women have achieved high positions in various fields, including politics, business, and entertainment.

9 Menstruation is one part of a woman's cycle when the lining of the uterus (endometrium) is shed. This occurs throughout a woman's reproductive life. The menstrual cycle typically lasts between 3-7 days but can vary from woman to woman. Dysmenorrhea, Menorrhagia, Metrorrhagia, are some of the disorders women may face.

10. Physically, some women experience symptoms such as cramps, bloating, breast tenderness, fatigue, headaches, and nausea. These symptoms are caused by hormonal changes and the body's natural process of shedding the uterine lining. Emotionally, some women may experience mood changes, including irritability, anxiety, or depression. These changes are also influenced by hormonal fluctuations during the menstrual cycle.

11. Every woman's experience of menstruation is different and can vary from month to month. Some women may experience minimal physical or emotional symptoms, while others may have more severe symptoms that affect their daily activities.

12. Avelina Celestia, a resident of India, was a Engineer by profession and she was working in GANZON, a software development Company, that designs and develop custom software applications, frameworks, and tools that helps to solve problems or achieve a specific outcome. She was working as a software developer with an annual package of INR 22 Lakhs. GANZON was funded by the Central Government for most of their projects and the central government holds a substantial interest in the company. As a software developer she was involved in researching, designing, implementing, managing software programs, testing and evaluating new programs, identifying areas for modification in existing programs and subsequently developing these modifications and writing and implementing efficient code.

13. On 5th January 2024, Avelina Celestia was on her periods and she could not come to her office for 3 days. At the end of the month when her monthly salary was credited to her account, her salary was deducted for not working on those three days. She was well aware about the fact that GANZON never gave paid period leave to their female employees.

14. She got to know that Patliputra, a state in Sindia, granted paid period leave to their employees and after hearing this, Avelina Celestia posted on her social media handle "Women are personified as goddess in our country but the said goddess is deprived of even a single day leave on her periods, which breaks her both physically and mentally. The Central government must pass an Act to give paid period leaves to every women at their respective work place". This post was on her private social media account but it was shared by different activists on other social media platforms across Sindia.

15. Seeing this post, Women Human Rights Society (hereinafter referred to as WHRS), an NGO which conducts workshops, facilitates discussions, provides legal advice and pro bono legal services to them who might encounter cases of sexual violence at workplace and has been working since 2014, to prevent gender and sex-based violence against women. WHRS moved to the Hon'ble Supreme Court of Sindia through a Public Interest Litigation (hereinafter referred to as PIL) for the constitutional recognition of Right to Menstrual Leave as Fundamental Right under Article 14, Article 15 and Article 21. The NGO is of the view that women should be granted paid menstrual leave at her workplace.

16. This would benefit female employees by allowing them to manage their menstrual symptoms without compromising their productivity or workplace attendance. It would also promote gender equality by recognizing and addressing the unique health needs of female employees in the workplace.

17. Further, this would promote workplace diversity and inclusion by acknowledging the challenges that women face due to menstrual symptoms, which can be more severe for some women than others. Providing menstrual leave would create a more supportive and inclusive workplace environment, which could increase employee satisfaction and productivity.

18. As per WHRS, approximately 40 per cent of girls miss school during their periods. The type of absorbent used, lack of privacy at school, restrictions imposed on girls during menstruation, the mother's education, and the source of menstrual information were all found to be important factors in school absenteeism. Nearly 65 percent girl's daily activities hamper at school and they had to skip class tests

and lessons as a consequence of discomfort, anxiety, shame, and concerns about leakage and uniform discolouration.

19. Overall, the introduction of paid menstrual leave would be a positive step towards gender equality and a healthier, more productive workforce.

The matter is presented before the Supreme Court of India with the following issues:

1. Whether present Public Interest Litigation is maintainable or not?
2. Whether non-recognition of menstrual leave to girls and women of all age is violative of their Fundamental Rights under Article 14, 15 & 21?
3. Whether the menstrual leave ensures socioeconomic equality as enshrined in DPSPs?

(In addition to the aforementioned Issues, participants are at liberty to frame more issues.)

NOTE: -

1. The Constitution and all the other laws of India are parametric to the Constitution of India and other statutes enforced within the territory of India.
2. The participants are allowed to use any relevant statutory laws and case laws of India in their submissions.
3. All the characters, events, and names mentioned in the Moot Problem are not real and are created only for academic purposes. Any resemblance to real-life events or persons, living or dead, is unintentional.



**HIMACHAL PRADESH UNIVERSITY
NATIONAL MOOT COURT COMPETITION 2025
REGISTRATION FORM**

Name of the Institution:

Address of the Institution:

Name and designation of the faculty-in-charge:

Phone no. of Faculty-in-charge:

Institution E-mail:

Team details-(Affix a photo of each participant alongside name)

Name of Speaker1:

Course and Semester:

Contact and E-mail:

Name of Speaker2:

Course and Semester:

Contact and E-mail:

Researcher:

Course and Semester:

Contact and E-mail:

Sign and Seal of Head of the Institution

DEPARTMENT OF LAWS H.P.UNIVERSITY,SUMMERHILL SHIMLA (H.P.) INDIA



Organising Committee

Prof.(Dr.) Lalit Dadwal --9418079729

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