



JAGRAN LAKECITY
UNIVERSITY

igniting minds; changing lives

FACULTY OF LAW

1ST JLU NATIONAL MEMORIAL DRAFTING COMPETITION, 2022

26th April, 2022



Organized by

Moot Court Committee
Faculty of Law, Jagran Lakecity University,
Bhopal, M.P.



Knowledge
Partner



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OFFICIAL INVITE

Respected all,

Greetings!

Hope this letter finds you in good health.

It is with immense pleasure that the Moot Court Committee (MCC), Faculty of Law, Jagran Lakecity University, Bhopal, M.P., presents the 1st JLU National Memorial Drafting Competition, 2022. We take this occasion to invite your esteemed Institution to participate in the competition and extend to us the privilege of hosting the participating team(s).

It will be our endeavour to create an atmosphere of invigorating intellectual challenges and the opportunity to learn court craft through simulated experiences in the competition. We look forward to a positive response.

Best Regards,
Moot Court Committee,
Faculty of Law, Jagran Lakecity University,
Bhopal, Madhya Pradesh



ABOUT FACULTY OF LAW

Faculty of Law was established in the year 2014 as part of Jagran Lakecity University (JLU), Bhopal, a private university established under Section 2(f) of UGC Act, 1956. JLU Bhopal is one of the fastest growing and one of the most awarded University of Central India having practice-based pedagogy at its core. JLU Bhopal is the only participating university from Central India ERASMUS+ programme under the Tuning India Project, funded by the European Commission and is also currently the country chair for Association of Universities of Asia Pacific (AUAP).

At Faculty of Law, we offer the following programmes

- B.A. LL.B. (Hons.)- five years course
- BB.A. LL.B. (Hons.)- five years course
- LL.B. – three years course
- LL.M. (One year course) with specialisations in Corporate and Intellectual Property Law; Cyber Law and Cyber Security; Criminal Law and Criminal Justice; Taxation Law
- Ph.D. in Law

ABOUT MOOT COURT COMMITTEE

Since the inception of the Faculty of Law at the Jagran Lakecity University, the Moot Court Committee has been its indispensable part. It is a student run initiative under the guidance of faculty in-charges, and seeks to hone and promote the culture of mooting in the University. The aim of the Committee is to foster and regulate mooting and allied activities of the University in a just and fair manner. The MCC at the JLU Faculty of Law is committed to facilitate the aim of practical learning and capacity building of the young law students.

The Moot Court Committee of Faculty of Law, Jagran Lakecity University, Bhopal have within the short span of five years successfully organized five editions of JLU Moot Court Competition. Following important Moot Court Competitions on diverse theme have been organised in previous years –

1. First JLU National Moot Court Competition took place from February 17 to February 19, 2017. The event was inaugurated with grandeur by Mr. Ram Jethmalani, former Law Minister and senior advocate, Supreme Court of India.
2. Second edition of the JLU National Moot Court Competition commenced with a splendid Inaugural Ceremony on February 16, 2018.

3. 1st SAARCLAW-JLU Moot Court Competition was organized in the year 2019 and was based on International Human rights and Constitutional Law theme.
4. 2nd SAARCLAW-JLU Moot Court Competition was organized in the year 2020 and was based on 'pink' theme in order to promote female representation in bar and bench.
5. 3rd SAARCLAW-JLU Moot Court Competition was organized on an online platform in the year 2021 and was based Maritime Law and International Arbitration Law.
6. 1st AUAP-JLU International Moot Court Competition, 2022 is set to be organised from 8th-10th April 2022. For more details, contact mcc.sol@jlu.edu.in

ABOUT THE COMPETITION

Mode of the Competition: Online

Language: English

Eligibility: The students currently enrolled in either five years or three years LL.B. courses or LL.M. programs from any recognized University or Law College are eligible for participation in the competition.

There is no restriction on the number of entries from any college or university.

Team Composition: Each team shall consist of one individual or two individuals that qualify the eligibility criteria. Multiple teams are allowed from different University/Law School/College/Departments.

DEFINITIONS

1. "Competition" means the 1st JLU National Memorial Drafting Competition, 2022.
2. "Identity" means any fact of the identity of the Team, its members, or the College/University represented by the Team and the state or region where such College/University is located and includes any identification marks/seal of the Team or the College/University represented.
3. "Organizing Committee" or "OC" means the Organizing Members from the Moot Court Committee.
4. "Team" means the structured unit of the registered participants of the Competition.
5. "Team Code" means the code assigned to a Team for representing in this Competition.
6. "Memorial" means the Memorandum of Written Submissions submitted by any Team as per the Rules of the Competition.
7. "Memorial Score" means the score determined by the Rules of the Competition.

REGISTRATION

Registration fees: Rs. 700/-

(The registration fee shall be non-refundable and non-transferable in any circumstance)

Registration Link: <https://forms.gle/sbBCtryQBDwMNP1GA>

Only 40 teams will be allowed to register in the competition on a first come first served basis.

Once a team registers by completing the formalities given, a Team Code shall be assigned to the team.



PROPOSITION FOR THE COMPETITION

Apurva Vij is an aspiring film writer and she loves to explore ideas that might appear strange, and in some cases even downright morbid. However, her flair for taking up uncomfortable topics has defined her course as a film writer. In order to bring out the minute details of a particular location and its surroundings, Apurva keeps visiting places to derive inspiration. Recently, she thought of writing a script for a Bollywood horror film and with an intention to bring the same to fruition, she travelled to the well-known haunted village of Kuldhara in Rajasthan. Basis her visit, she made various notes of the location and about the local folklores. But, instead of ordinarily writing a script regarding the village and the paranormal activities occurring therein, Apurva thought of writing on a more nuanced subject – the effect of Poltergeist ghosts on people. Simply put, Poltergeist ghosts are ones who commit mischief by making loud noises, causing the flickering of lights and the most important – making their presence felt.

During her journey of writing the script, Apurva beautifully intertwined the historical elements of the site in Kuldhara, its folklores and surroundings with her subject of Poltergeist ghosts. Her story regarding the Poltergeist ghost is that Bapurao, the protagonist's father dies and re-appears at night to be the usual abusive drunk man. He causes mischief, wreaks havoc and even pushes the other characters in the story towards suicide. The story focuses on the protagonist's internal battle with himself to try and rid the people of his father's ghost. After trying out various means to get rid of his father's ghost, he concludes that the only way in which he will be able to control his father's ghost is through dying himself. Pertinently, the last scene shows that the protagonist undertakes an elaborate trap mechanism by luring his father's spirit over a boat and trapping it in a bottle being held by him. He steers the boat towards the sea and causes the explosive-laden boat to explode, mid-sea. This is where the film ends without any details on the fate of the protagonist or his father's spirit. The message to be conveyed through the film focussed on the welfare-oriented attitude of the protagonist and his internal struggles of pitting himself up against his father.

After writing this script, Apurva got it registered with the Screenwriter's Association in May 2021. She was very intrigued by the concept of her script and knew that it had the potential to make a big blockbuster film. In view thereof, she reached out to the legendary Bollywood producer Raman Sarkar. Raman is an old-school, know-it-all producer, who follows his own rules. Apurva was in contact with Raman's secretary, Kashman Majahan and sent him the concept note of her film. Kashman and Apurva through conversations between them fixed a date for meeting between Raman and Apurva. While at the meeting, Apurva tendered her

concept note once again and the script in an envelope to Raman, in the presence of Kashman. Ignoring both the note and the script, Raman asked Apurva to tell him the story in five minutes. Apurva narrated the story with vigorous gesticulation and explained her innovative end in detail. Just when Apurva was going to make a pitch for how the script would appeal to the younger audience, Raman characteristically rang his table bell and indicated that Apurva's time was up.

Apurva was escorted outside by Kashman, who assured her that her story would be considered, and they would reach out to her in case of any further developments. With a puzzled perception of the events that had occurred, Apurva went back to her usual ways – a quest to write another uncomfortably engrossing tale. Few months later in December 2021, Apurva was scrolling through her Instagram when she came across a poster which caught her attention. To Apurva's surprise, the poster pertained to a film 'Baap is Back', which had Raman's name on it as the producer and mentioned Tyohar Mirtas as the script writer. Apurva got agitated looking at the poster since it portrayed the figure of a woman draped in white standing behind a man holding a beer bottle with a water body in the background. She instantly thought that the poster was a rip off of her story as the source of the poster was also Raman.

She approached Raman over call but could only get through to Kashman, who informed her that this is how the industry works. He informed her that only those stories which get the approval of Raman are greenlit for production and 'Baap is Back' was one of them. Further, Kashman did not reveal any other details of the script.

Apurva was of the opinion that she had been cheated and wrote a letter dated 24 December 2021 and issued it to Raman and Tyohar. In her letter, Apurva stated that the poster revealed that the theme of the film was similar to her script and that Raman had breached his obligation of confidentiality towards Apurva by sharing her script with Tyohar and picking up material therefrom.

Raman replied vide letter dated 5 January 2022 stating that her script was never opened and that Tyohar had registered his script with the Screenwriter's Association back in July 2021. Further, Raman informed Apurva that there was absolutely no ground for her to conclude that her script had been copied in any manner whatsoever. Just because the poster contained certain visuals, Raman mentioned, that it could not lead to the conclusion that the film 'Baap is Back' is based on Apurva's script because the film was to be viewed as a whole.

There was a breakage in communications at this point and Apurva did not know what to do. Her letter had certainly not been taken seriously and she did not have enough proof to institute any formal legal proceedings against Raman. While contemplating the future course of action, one morning Apurva found a CD slid under her door. Inquisitively and instantly, she played it on her laptop to realize that it was an uncut and in production version of the film 'Baap is Back'. The film, Apurva realized had various variations as compared to her script but had certain common underlying themes, such as the death of a family member, her coming back to life as a witch, protagonist's attempt to ward off the family member's spirit, etc. However, the most striking similarity according to her was the last few shots where an almost identical scene was reproduced as found in Apurva's script. However, this part was barely 15 minutes of the entire film of 1 hour 30 minutes.

It was based on this understanding that Apurva instituted a suit before the Bombay High Court against Raman and Tyohar on 24 January 2022 for copyright infringement and breach of confidentiality.

Issues:

- Whether the suit filed by Apurva against Raman and Tyohar is maintainable before the High Court of Bombay?
- Whether Apurva can institute a suit for breach of confidentiality against Raman?
- Whether Apurva can claim copyright infringement against Raman and Tyohar for the script of the movie?

Note: The participants may divide the sub-issues as they please, or add any suitable issue as deemed fit.

QUERIES AND CLARIFICATIONS

All the queries/clarifications must be addressed to official mail id of the organizers i.e. mcc.sol@jlu.edu.in and the subject of the mail must read as "Query/Clarification regarding JLU National Memorial Drafting Competition, 2022". The last date for seeking any clarification is **20th March, 2022**. A compiled list of clarifications will be released & made available to all the teams by **25th March, 2022**. No queries otherwise than through a mail, shall be entertained whatsoever the case may be.

RULES & REGULATIONS

1. All the teams must submit the soft copy of the memorial for both sides (Petitioner and Respondent) on or before **11:59 PM (IST), April 15th, 2022**. The memorial(s) should be sent in both PDF and Word formats (.pdf & .doc/.docx).
2. Participants are allowed to frame additional issues other than those provided in the moot proposition if desired.
3. The soft copy of memorials once submitted cannot be revised or resubmitted.
4. The Cover Page of the Memorial must follow the following colour scheme, Blue for the Petitioner Cover Page and Red for the Respondent Cover Page.
5. The Memorial must not contain any Annexure/Photographs/Sketches/Exhibits/Affidavits or any other representation of similar nature.
6. The memorials must not contain any identification apart from the team code allotted. If any discrepancy or any attempt to disclose identity by any team is noticed by the Organizers, the team will be disqualified.
7. The memorials must be named in the following format: "Team Code - Petitioner/Respondent", for example, "TC 1 - Petitioner".
8. Participants must refrain from using the same language or copying from other memorials and other sources. Even the use of publicly available information must be accompanied by proper citations. These rules shall apply to all parts of the memorial(s) and not just the Pleadings and Prayer. The Organizing Committee in consultation with the judges will take a final decision regarding the determination of cases of plagiarism and penal measures for such action.
9. Memorials that do not comply with the above-mentioned specifications will be rejected.
10. The Organizing Committee shall function as the point of contact, and any changes in the Rules of the Competition shall be notified by email to all participating teams.
11. The Competition shall be conducted by rules mentioned hereunder. Participants are required to comply with the rules and procedures prescribed herein.
12. In the case of a tie, the higher rank would be determined based on least time taken by the participant in submission of memorials.
13. The decision of the Judges shall be final regarding the outcome of the results.
14. The official email for all correspondence for the Competition is mcc.sol@jlu.edu.in.

FORMATTING GUIDELINES

1. The Memorial(s) shall be typed on an A4 size page in Font type: Times New Roman, Font size: 12, 1.5-line spacing & 1-inch margin on each side, Justified.
2. The Footnotes shall be in Times New Roman, size 10, single line spacing, Justified.
3. Each source or authority must be supported by bibliographical information using the Bluebook: A Uniform System of Citation (20th edition).
4. The Memorials must include all the following specifications:
 - A. Cover Page
 - B. Table of Contents
 - C. List of Abbreviations
 - D. Index of Authorities
 - E. Statement of Jurisdiction
 - F. Statement of Facts
 - G. Issues Raised
 - H. Summary of Arguments
 - I. Arguments Advanced
 - J. Prayer
5. The Memorial shall not be of more than forty (40) pages, and the Arguments Advanced shall not exceed more than twenty-five (25) pages.
6. The Team Code allotted to a team must be mentioned on the Cover Page of the Memorial's upper right corner.
7. The Cover Page must consist of the following:
 - A. Team Code
 - B. Name of the Court/Forum
 - C. Jurisdiction
 - D. Cause Title
 - E. Party on whose behalf the Memorial is submitted
8. The participants are required to mention only those abbreviations which are used in the Memorial(s). If an abbreviation is found in the 'List of Abbreviations' but not used in the Memorial, it will attract a negative marking of 0.25 at a time.

9. The 'Index of Authorities' must reflect the page(s) of Memorial(s) where any authority is cited.
10. The submission of the Memorials will be only accepted through a Google Form Link, which shall be mailed post completion of registration formalities.
11. Mentioning of identification of any type in the Memorial(s) shall lead to immediate disqualification.

PENALTIES

Starting at 1 minute past the deadline, 2 marks will be deducted from each memorial for every hour of delay.

EVALUATION OF MEMORIAL

The contents of Memorial(s) shall be evaluated out of 100 marks. The criteria of evaluation are:

PARAMETERS	MARKS
Knowledge of Law & Facts	20
Interpretation & Application of Law	20
Extent and Use of Research	20
Clarity & Organization	20
Style, Grammar, & Citation of Sources	20
Total	100

PAYMENT METHOD

Payment Link: https://m.paytm.me/jludce_nrsocial

Payment can also be done via scanning the given QR code



While registration, all participants are required to upload screenshot of the payment made on Google form given above.

AWARDS

Best team (1st Position) - Prize money of Rs. 12000/- + Certificate of Merit + 1 free course of any choice offered by Memo Pundits

Runner-up Team (2nd Position) - Prize money of Rs. 7000/- + Certificate of Merit + INR 1500/- discount coupon on any one course of choice offered by Memo Pundits

Second Runner-up team (3rd Position) - Prize money of Rs. 3000/- + Certificate of Merit + INR 1000/- discount on any one course offered by Memo Pundits

4th Position to 10th Positions - Certificate of Merit

All the participants who successfully register for this event will receive a **“Certificate of Participation + 30% discount on moot mentorship after releasing the problem by Memo Pundits”**.

(All certificates shall be in digital form & digitally signed and will be sent on the email ID provided in the Google form.)

IMPORTANT DATES

Last date of Registration: 11:59 PM IST, 15th March, 2022

Last date to seek Clarifications: 11:59 PM IST, 20th March, 2022

Release of Clarifications: 25th March, 2022

Last date for Memorial Submission: 11:59 PM IST, 15th April, 2022

Announcement of Result: 26th April, 2022

CONTACT DETAILS

For any queries, kindly contact:

1. **Ms. Nishi Rathore**, Convenor, Moot Court Committee, Faculty of Law, JLU
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For any other details, kindly reach out to mcc.sol@jlu.edu.in

ORGANIZING COMMITTEE

Patron -in-Chief

Shri. Hari Mohan Gupta

Hon'ble Chancellor
Jagran Lakecity University

Patrons

Shri. Abhishek Mohan Gupta

Hon'ble Pro-Chancellor
Jagran Lakecity University

Prof. (Dr.) Sandeep Shastri

Hon'ble Vice-Chancellor
Jagran Lakecity University

Advisor

Prof. (Dr.) Nachiketa Mittal

Director
Faculty of Law
Jagran Lakecity University

ORGANIZING TEAM

Faculty Committee

1. **Mr. Omkareshwar Pathak**,
Assistant Professor, Faculty Advisor, Moot Court Committee, JLU
2. **Ms. Mitali Kori**,
Assistant Professor, Faculty Advisor, Moot Court Committee, JLU
3. **Ms. Apoorva Agrawal**,
Assistant Professor, Faculty Advisor, Moot Court Committee, JLU

Student Committee

1. **Ms. Nishi Rathore**, Convenor, Moot Court Committee, Faculty of Law, JLU
2. **Mr. Aaradhy Shrivastava**, Co-Convenor, Moot Court Committee, Faculty of Law, JLU
3. **Ms. Kashish Khurana**, Co-Convenor, Moot Court Committee, Faculty of Law, JLU
4. **Ms. Rushda Arshad**, Co-Convenor, Moot Court Committee, Faculty of Law, JLU
5. **Ms. Srishti Khairwar**, Secretary, Moot Court Committee, Faculty of Law, JLU
6. **Ms. Astha Jain**, Member, Moot Court Committee, Faculty of Law, JLU
7. **Mr. Aditya Sharma**, Member, Moot Court Committee, Faculty of Law, JLU
8. **Ms. Aditi Bhargava**, Member, Moot Court Committee, Faculty of Law, JLU
9. **Ms. Nikita Verma**, Member, Moot Court Committee, Faculty of Law, JLU