

Patrons

Dr. Deepak J. Tilak
(Hon'ble Chancellor, TMV)

Dr. Geetali Tilak
(Hon'ble Vice Chancellor, TMV)

Dean

Adv. Harshad V. Nimbalkar

Convener

Prof. (Dr.) Rohini Honap
(Principal and Head, Dept. of Law)

Faculty Co-ordinators

Asst. Prof. Ketki Dalvi

Asst. Prof. Arundhati Bhale



Tilak Maharashtra Vidyapeeth

Declared as Deemed to be a University Under Section 3 of UGC Act 1956
Reaccredited by NAAC with B++ Grade

ISO21001:2018 Certified

Lokmanya Tilak Law College, Pune
ORGANISES



4th EDITION BAL GANGADHAR TILAK NATIONAL MOOT COURT COMPETITION (Hybrid mode)

Schedule for the Competition

Online Registration	31st March 2024
Submission of Memorials(Soft Copy)	5th April 2024
Date of Competition	12th-13th April 2024

Compulsory offline mode for Pune participants.

Online or offline mode for outside participants.



TMV'S LOKMANYA TILAK LAW COLLEGE, PUNE

Tilak Maharashtra Vidyapeeth (TMV) established in 1921 is recognized by the Government of India in the year 1987 as the "Deemed to be University" under Section 3 of UGC Act, 1956. We offer programs in multiple disciplines such as Ayurveda, Sanskrit, Social Sciences, Modern Sciences & Professional Skills, Management, Health Sciences, Law and Distance Education. TMV's Lokmanya Tilak Law College was established in 2012 and was approved by the Bar Council of India. B.A. LL.B (Five years), LL.B (Three years) and LLM (Two years) courses are offered by the institute. In pursuit of excellence our institution aims at not only professionalism but also ethical values and social responsibility and hence the curriculum is designed to transcend the boundaries of academics to be relevant in the changing corporate and social requirements.

ABOUT THE MOOT COURT COMPETITION

TMV's Lokmanya Tilak Law College endeavors to develop legal acumen and research skills of the students and provide a platform to explore emerging issues of law. Lokmanya Tilak Law College organized the **1st Edition of National Moot Court Competition, 2021 on 13th and 14th August, 2021 under the aegis of Tilak Maharashtra Vidyapeeth, Pune.** The Moot Proposition was based on contemporary debates on Human Rights and was participated by reputed institutions all

over India namely, ICFAI University, Dehradun, Jindal Global Law School, Maharashtra National Law University, Aurangabad, Gujarat National Law University, Symbiosis Law School, Hyderabad and so on. The event was inaugurated by the Dean of Lokmanya Tilak Law College, Adv. Harshad Nimbarkar. The keynote address was delivered by Justice Dharmadhikari, former Chief Justice Bombay High Court.

Two finalist of the Moot Court Competition were VM Salgaokar College of Law, Goa and Institute of Law, Kurukshetra University, Haryana. The Final Round was adjudged by Senior Advocate Rohan Nahar and Justice Makarand Karnik, Judge Bombay High Court. This was followed by Valedictory session, where Justice Makarand Karnik gave the valedictory address and inspired the participants. VM Salgaokar College of Law, Goa came up as the winning team. Best Memorial was awarded to memorial drafted by Maharashtra National Law University, Aurangabad. Manvi Srivastava, VES College of Law, Mumbai was adjudged as Best Mooter.

The 2nd Edition of Bal Gangadhar Tilak National Level Moot Court Competition was held online on 22nd & 23rd of April. The Moot Proposition was based on the most debatable topic of Marital Rape wherein colleges from all around India participated. The Competition was Inaugurated by J. Ambadar Joshi. The competition was won by Vishwakarma University, Pune whereas Savitha School of Law was the runner-up. The best Mooter prize was bagged by Vishwakarma University and the Best Memo award was bagged by Govt. College, Trichy. This was followed by Valedictory session which was graced by Dr. Vishwambar Choudhary.

The 3rd Edition of Bal Gangadhar Tilak National Level Moot Court Competition was held online on 7th & 8th April 2023 of April. The Moot Proposition was based on the most debatable topic of Anti Defection Laws, wherein colleges from all

around India participated. The Competition was inaugurated by Hon'ble Justice Joshi Phansalkar (Former Judge Bombay High Court) was Chief Guest of the session. The competition was won by Vishwakarma University,Pune, the runner-up team was University Law College, Bangalore. Best Memorial awarded was given to faculty of Law PES University & Best Mooter was Symbiosis Law School, Pune. This was followed by Valedictory session which was graced by Hon'ble Justice Neela Gokhale, sitting Judge of Bombay High Court.

Now TMV's Lokmanya Tilak Law College takes immense pleasure in announcing the **4th Bal Gangadhar Tilak National Moot Court Competition in hybrid mode on 12th &13th April 2024.**

ROUNDS OF THE COMPETITION

The competition will have the following rounds:

1. Preliminary Rounds.
2. Semi Final Rounds.
3. Final Round.

LANGUAGE

The language of the competition will be English.

ELIGIBILITY

1. Students pursuing 3/5 year Law Course are eligible to participate in this competition.
2. Only one team can participate from each institution.

TEAM COMPOSITION

Each team of the competition shall consist of the following members-

Each team shall consist of three (3) members. Teams shall have two

(2) Speakers, & one (1) researcher

All the three members of the team, should belong to the same institute. No cross teams i.e. members of different institutes/universities, shall be allowed.

Each team should identify such speakers and researchers at the time of registration. The researcher may be permitted to argue as speaker only in case of illness or any unforeseen event, but a written permission of the Moot Court Convener in such case shall be mandatory.

There shall be no circumstance whatsoever that a team consisting of more than 3 members be allowed to participate. No observer/ additional member can be part of a team in any capacity.

There shall be no substitution of any team member after a team has submitted its Registration Form, except with the permission of the Organizers.

DRESS CODE

The participants shall adhere to following dress code while presenting in virtual court room during the Competition.

Girls: White Shirt, Black Trouser and Black Blazer and Black Shoes.

Boys: White Shirt and Black Trouser along with Black Tie, Black Blazer and Black Shoes

Note: The participating teams shall also adhere to the above- mentioned dress code while attending the inaugural and valedictory ceremonies of the Competition.

PARTICIPATION REGISTRATION

In order to confirm participation, teams of every Institute should register themselves. Registration fee for every team is Rs.3000/- Rupees Only). The duly completed Google Form for Registration with all team details and NEFT must be submitted to the Moot Court Association on or before **31st March 2024 by 11.30 p.m. (IST)**. No change in the names of the participants shall be permitted after the receipt of the Registration Form, except at the sole discretion of the organizers. All teams shall be given a "Team Code" by the Organizers on validation of their Google Form for Registration and NEFT. The teams shall use their designated "Team Code" for all correspondence with the Organizers. The same team code must be used by the teams during the submission of Memorials and during all the Rounds of the Competition.

The Teams have to register via this link:

<https://forms.gle/uACjHFD7tHb3spaB7>

Account Name and Details for Transfer of Registration fees are given below:

Name of the Bank: HDFC Bank

Bank Account No.: 59103111952004

IFSC Code: HDFC0002844

Name of the Account Holder: Tilak Maharashtra Vidyapeeth

Name of Branch: Dhanukar Colony.

Rules for Memorial

The following requirements for memorial must be strictly followed by the participants-

1. All memorials submitted for all purposes of the Competition shall strictly adhere to the rules of the Competition. Each Team participating in the Competition must prepare one Memorial on behalf of Petitioner(s)/ Appellant(s) and one on behalf of the Respondent(s).

Further teams participating online will submit only soft copies of the Memorials from each side and those who are participating in Person has to submit Softcopies as well as Hardcopies of the memorials

2. Appellant memorials are required to have a Blue cover and Respondent memorials are required to have a Red cover. The memorials shall not contain any form of identification apart from the team code. If any such identification or mark, symbol, etc. which has the effect of identifying the team is found on the memorial, then it shall result in instant disqualification. A penalty of 1 mark shall be levied in case the memorial is submitted in any other format or as a multiple file by the team.

While sending the softcopy of the memorials in PDF format, please name the file pertaining to the Respondent as R accompanied by the team code and name the file pertaining to the Petitioner as P accompanied by the team code. For example, Respondent of team 06 should name the PDF file as R06.

Each Team must mail a soft copy of their memorials, in PDF format only, for evaluation on or before 5th April 2024 till 11.30 pm with the subject Submission of Memorials for 4th Edtn. of Bal Gangadhar Tilak National Moot Court Competition, 2024

GUIDELINES FOR FORMATTING

1. STRUCTURE OF MEMORIAL

- a. Cover Page
- b. Table of Contents
- c. Index of Authorities
- d. Statement of Jurisdiction

e. Statement of Facts (Argumentative statement of facts would attract penalties)

f. Issues raised,

g. Questions of Law/ Summary of Arguments

h. Arguments Advanced

i. Prayer

j. Appendix (Optional)

k. Exhibits (Optional).

Non-compliance with above non optional criteria shall result in penalty of two marks for each missing section.

2. TEAM CODE:

The team code must be ascribed on the top right corner of the cover page.

3. CONTENT SPECIFICATIONS:

The following content specifications must be strictly adhered to-

a. Font and Size (General) - Times New Roman, 12 pts

b. Line Spacing (General) - 1.5 lines

c. Font and Size (Footnotes)- Times New Roman, 10 pts

d. Line Spacing (Footnotes) - Single line

e. Page Margins -1 inch on all sides

f. The citation should be in compliance with the 20th edition of Bluebook. Speaking footnotes or Endnotes are not allowed.

4. MARKING CRITERIA OF MEMORIALS:

The maximum scores for the memorials shall be 100 marks: The memorials shall be evaluated on the following criteria:

Knowledge of Law and Facts	30 Marks
Proper and Articulate Analysis:	30 Marks
Extent and Use of Research:	20 Marks
Clarity and Organization:	10 Marks
Grammar and Style:	10 Marks

DRAW OF LOTS

The Draw of Lots will determine from which side the participant present their arguments i.e., Petitioner/Plaintiff or Respondent/Defendant. The Draw of Lots will also decide which team you will be competing against (There will be no pre-decided fixtures). The team codes will be provided to teams before the draw of lots but their sequence of participation will be decided there on.

ORAL ROUNDS

A. PRELIMINARY ROUNDS

- a. Each team will get a total of 20 minutes to present their case.
- b. Each speaker should speak for a minimum of 8 minutes.
- c. The time stated above includes the time required for rebuttal and surrebuttal. However, the maximum time taken for rebuttal and surrebuttal shall not exceed 3 minutes.

Each team shall present one side in this round. Each team will represent Petitioner's side or the Respondent' side, in the sequence determined under Draw of Lots. The top 10 team based on their Total Preliminary Score in the Preliminary Round shall qualify for theSemi-Final Round. Total Preliminary score does not include the memorial score.

B. SEMI FINAL ROUNDS AND FINAL ROUND

- a. Each team will get a total of 30 minutes to present their case.
- b. One speaker shall not exceed 15 minutes of the total time.
- c. The time stated above includes the time required for rebuttal and sur-rebuttal.

However, the maximum time taken for rebuttal and sur-rebuttal shall be not more than 5 minutes.

This will be a knockout round.

C. MARKING CRITERIA

Maximum scores for the oral rounds shall be 100 points per speaker, and which shall be judged on the following criteria:

Knowledge of Law	20 Points
Application of Law to Facts	20 Points
Response to questions & Articulation	20 Points
Poise, Courtesy and Demeanor	20 Points
Time Management	10 Points
Organization	10 Points

D. General Online Rules: for online participants

1. The oral rounds shall be conducted online on a live video conferencing platform. The details of the platform shall be shared to the teams via mail.
2. An Invitation link of the meeting shall be sent to participants on their respective email IDs submitted by them in Registration Form.
3. The Participants are expected to be seated in a quiet space free from any echo and isolated from any form of disturbances.
4. The Participants must make sure that the Background is plain and sober which does not disturb the judges. Preference will be given to a White background. The participant should be visible in Portrait Mode/ Vertical Manner.
5. The participants should only use their team code as their username while joining the meeting room.
6. All participants should be online at least ten (10) minutes prior to the commencement of their round.
7. Following are the mandatory system requirements to participate in the competition:
 - a. Computer/Laptop with a well configured web camera.
 - b. A stable Internet Connection

c. Headphones or Earplugs that have a working microphone.

8. While in a round, the participants must have their camera on all the time.

9. The participants should unmute their microphone when it is their turn to present their arguments, speak or when asked by the judge or the Organizers to do so.

10. The participants should not use group text feature of the Organizer's hosting platform to communicate with one another.

11. No screen sharing is allowed.

12. The Organizers shall not be responsible for any loss due to slow or non-functional Internet Connection during the Competition.

13. In any case whatsoever, the decision of the Organizers shall be final and binding

Guidelines for the offline Participants

1. It is mandatory for Participants from Pune Law Colleges to participate in competition in **offline mode only**
2. Online Registration is mandatory
3. All the offline participants should submit the memorial online at first instance on given date. i.e. on 5th April 2024. The offline participants should submit the hard copy on the day of Competition with students coordinators at Law Department (TMV Campus) at the time of reporting on 12th April 2024
4. Offline Participants from Pune, Out of Pune and out Maharashtra should report at Tilak Maharashtra Vidyapeeth Campus minimum 1 Hr prior to Inaugural session on 12th April 2024.at 9.00 am
5. Participants coming from outside Pune or Maharashtra should communicate their date and time of arrival at Pune with students coordinators in 10 days advance, so that necessary arrangements can be done.
6. Accommodations and other facilities will be provided to the students participants on first come first serve basis.

The organizers shall have the rights reserved over all the audio, video or submitted memorials and compendium and the organizers are free to use or dispose them off in the manner they deem fit.

AWARDS AND CERTIFICATIONS

1. Winner of the Final Round will be given the "Best Team" certificate, memento and a cash prize of Rs 7000
2. Runner-up of the Final Round will be given the "Runner Up" certificate, memento and a cash prize of Rs 4000
3. Team with the highest memorial scores will be given the "Best Memorial" certificate, memento and a cash prize of Rs 1000
4. "Best Mooter" award will be given the "Best Mooter" certificate, memento and a cash prize of Rs 1000

In addition to the above, e-certificates will be issued to all the participants within one week from the valedictory function and no prior request shall be entertained in any case.

ANONYMITY

The counsels shall not state their names during the oral rounds and must use the assigned team code for all correspondence. All team members must refrain from disclosing the identity of their institutions at any time and in any manner during the entire Competition. Non-compliance with this Rule will result in immediate disqualification of the team.

FINALITY OF DECISION

The decision of the judges with regard to the outcome of the rounds shall be final. For all purposes and in any dispute, the decision of the Convener of the Organizing Committee of the Competition shall be final and binding.

CLARIFICATION

Any clarifications regarding competition and the moot problem may be sought from the following faculty members

1. Asst. Prof. Ketki Dalvi - + 91 9922202499
2. Asst. Prof. Arundhati Bhale - +9028962909E-mail id- mootcourttmv2024@gmail.com
Help Desk Time - 9.00 a.m. to 4.00pm.
Deokar Vrushali- 020-24403102

MOOT PREPOSITION

The Republic of Indus Land is the most ethnically and religiously diverse country in the world. The danger of communal conflicts is ever-present and unlikely to wane anytime. In March 2019 reports about Love Jihad were reported. The news report stated that there has been 3,000- 4,000 conversions in the past four years in Indus Land. Various High Courts from across the country have stated that religious conversion is not a casual matter. In 2014, the High Court of Udayan Pradesh stated in a judgement that if conversion “is resorted to merely with the object of creating a ground for some claim of right” it would be "a fraud upon the law".

Meera, a Hindu residing in Pumbai, Ashfaq a Muslim residing in Lumnow, met first time on a dating app, where they started liking each other. Months after knowing one another they fell in love with each other. In the year 2021 they started residing in a live-in-relationship for a few months and later decided to get married under the Special Marriage Act, 1956. Meera’s parents opposed the marriage, as it was an inter-religious marriage, however, Ashfaq’s parents accepted their marriage.

Subsequently, Meera decided to convert to Islam, out of her love and respect for Ashfaq’s family. The marriage occurred on 10th January 2022. On 17th January, 2022 Meera underwent the ceremony of conversion from Hinduism to Islam. The couple went to Ashfaq’s home in Lumnow on 11th February, 2022. They were greeted warmly by Ashfaq’s family. After few weeks of marriage, frequent quarrels and fights due to her belongings found containing pictures of idols of her earlier

faith. Meera, sustained some injuries and bruises on her arms and legs. She immediately in a feet of rage, sent pictures of the injury marks on her legs and hands through whatsapp to her parents.

An increase in Covid cases in the State led to a two-week lockdown which was announced on 15th March 2022. Due to which parents could not visit her daughter to inquire her welfare. Meanwhile, Meera's brother met with an accident and was put on bed rest on account of multiple injuries. Meera requested Ashfaq's family to let her visit her brother but she was not allowed to go under the pretext of reasons such as the risk of attracting Covid and limited transportation options. In May 2022 Meera called and asked her parents to pick her up from Ashfaq's home. Upon knowing about the details of their marriage and the conversion, they suspected that Ashfaq and his family had coerced Meera to convert into their religion and were now wrongfully restraining her against her will. Subsequently, with special travelling pass they travelled to Lumnaw and they took her to nearest Police Station and they filed an FIR in Rainbow Police Station against Ashfaq's family under Section 498A/S. 340 of IPC as well as under the Udayan Pradesh Prohibition of Unlawful Religious Conversion Act, 2021. Information was sent to the Malawa police station situated near the residence of Ashfaq's family, and soon, his family members were arrested on 20th May 2022. However, the Magistrate denied bail to Ashfaq's family and issued a non-bailable warrant against Ashfaq under section 498A. As a result, Ashfaq and his family preferred a Special Leave Petition before the Supreme Court and filed a writ petition challenging the validity of the Udayan Pradesh Prohibition of Unlawful Religious Conversion Act, 2021.

Considering the substantial questions of law relating to interpretations of the Constitution, both the petitions are clubbed and scheduled for hearing before a Constitution Bench of the Supreme Court. The matter is listed for hearing on 12th April 2024.

(Laws of Indus Land are in parimateria to the Laws of Republic of India)

(The Udayan Pradesh Anti-Conversion Act is in parimateria to Uttar Pradesh Prohibition of Unlawful Religious Conversion Act, 2021).

Issues:

1. Whether the present SLP is maintainable or not?

2. Whether the Udayan Pradesh

Prohibition of unlawful religious conversion Act, 2021 is constitutionally valid or not? 3. Whether the denial of bail to Ashfaq's family and issuance of a non-bailable warrant against Ashfaq under section 498A of IPC, 1860 is valid or not?

STUDENT COORDINATORS

Swayam Jambhulkar : 7758993020

Dr. Bhoomika Agalgatti : 9860243066

Latika Palav 9309787150

Ruben Rao : 7038466770

For any clarity regarding moot problem, participants can email at mootcourttmv2024query@gmail.com with subject line, "Regarding Clarification in mootproblem". No calls will be entertained in this matter.