

काशी हिन्दू
विश्वविद्यालय



BANARAS HINDU
UNIVERSITY



Rules and Regulations

12th Mahamana Malaviya National Moot Court Competition, 2025

In memory of our founder Bharat Ratna Mahamana
Madan Mohan Malaviya, Law School, Banaras
Hindu University is presenting the 12th Mahamana
Malaviya National Moot Court Competition

28th Feb - 2nd March, 2025



Venue: Law School, Banaras Hindu University, Varanasi (U.P.)

12TH MAHAMANA MALAVIYA NATIONAL MOOT COURT COMPETITION 2025

Law School, BHU, Varanasi

28th Feb - 2nd March, 2025

RULES AND REGULATIONS

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PART - I

TITLE, DATE AND VENUE

- Sec. (1) The *Mahamana Malaviya National Moot Court Competition 2025*, shall be held on *28th Feb - 2nd March, 2025*
Venue: Law School, Banaras Hindu University, Varanasi, Uttar Pradesh.
Prof. C. P. Upadhyay, HEAD & DEAN, will be the National Administrator.

PART - II

LANGUAGE

- Sec. (2) The competition shall be held only in the English Language.

PART - III

ELIGIBILITY & TEAM-COMPOSITION

- Sec. (3) The competition is applicable for those students who are pursuing an LL.B. *Three-year OR Five-year* courses from any recognised college/institution/university within the territory of India.
- Sec. (4) The team composition, for the competition, shall comprise of either **TWO** members (being designated as Speakers) OR **THREE** members (**TWO** of them shall be designated as Speakers and **ONE** Researcher).

Provided that a team may however consist of *only TWO* members in which case, no member shall be designated as Researcher.

- Sec. (5) Any additional member, as mentioned under Sec.4, will not be entitled to local hospitality. He shall also not be entitled to any kind of prize/ award in the competition.

Note (1):- No TEAM COACH shall accompany the participating team in the competition.

Note (2):- if any speaker OR researcher is found taking assistance of any kind of *unfair means*, the team shall stand disqualified from the competition at any stage.

- Sec. (6) The Researcher may be permitted to argue as Speaker in case of illness OR any unforeseen event, the permission of the National Administrator in such case shall be mandatory.
- Sec. (7) At any stage of competition **Member-Swapping** is strictly prohibited (that is any member of *a team* is requested by *another team* to plead on their behalf)

PART - IV

ACCOMMODATION

- Sec. (8) The accommodation shall be provided to the participating teams within the University Campus preferably. The accommodation facility shall be restricted to only Three Members of a particular team, which in any case shall not change. However, no accommodation facility will be rendered to the teams which are within the vicinity of 100 K.M. from the Law School B.H.U.

The participating teams are supposed to intimate the details of their arrival and departure as mentioned in **Annexure-B**.

PART - V

REGISTRATION

- Sec. (9) The registration of the participating teams, for the Mahamana Malaviya National Moot Court Competition, 2025, shall be on a priority basis, that is, receiving the consent letters of the teams in the order of sending first. The preference of registering the teams shall be in the aforesaid manner only. However, the discretion of the Dean, Law School, B.H.U., shall be final. Interested teams/institutions are kindly requested to submit their registration by *Google form* provided below by **31st December 2025, 5:00 PM**.
Google Form - <https://forms.gle/e6rBQaVXg3hgdWeM9>

The maximum number of teams will not exceed 20 (twenty). The first 20 teams, who have sent their duly filled registration forms, shall be deemed to have been registered for the moot court competition. No alteration shall be made once the teams are registered, the intimation of which shall be confirmed by the moot court committee to the teams registered.

- Sec. (10) The teams shall also send the hard copies of **Annexure-A** through the registered post which shall reach the administrator by **10th January 2025**.
- Sec. (11) The date for accepting registration forms by *post* and by *Google form* shall not exceed the stipulated date as mentioned aforesaid.

PART - VI

PAYMENT OF REGISTRATION FEE

- Sec. (12) The registration fees of Rs. 3000 (Three thousand rupees only) for the MOOT COURT COMPETITION can be paid either by IMPS or NEFT of **Rs. 3000.00 (Three thousand rupees only)**. Only the teams whose registration gets confirmed shall be required to pay the registration fee. The details for fee payment will be shared on the emails of shortlisted teams.

PART - VII

DRESS CODE

- Sec. (13) The members of participating teams in the competition are mandatorily required to dress up in their formal wear. The dress code shall be Western formals for Gentlemen and Western or Indian formals for Ladies. The teams should make their own provisions to comply with the dress code of the competition.

PART - VIII

STRUCTURE OF THE COMPETITION

- Sec. (14) The formal commencement of the competition shall commence on 1st February, 2025 with the inauguration and shall conclude with the Valedictory function on 2nd March, 2025.

However, the teams are supposed to arrive One Day before the commencement of the competition, i.e. on 27th February, 2025. The teams are, in this regard, mandatorily comply with **Annexure-B** of the Rules.

The structure of the competition is classified as herein undermentioned:

1. **The Preliminary Rounds**
2. **The Quarter-Final Rounds**
3. **The Semi-Final Rounds**
4. **The Final Round**

Note: All rounds, as mentioned above, shall be on the basis of **Knock-Out**.

Sec. (15) **Preliminary Rounds**

Sec. (15)(1) The Preliminary rounds shall comprise of Two Rounds of oral arguments subject to the allotment of team codes. In the preliminary rounds, each team shall have to argue twice, once as a petitioner and the other as a respondent. The preliminary rounds shall take place on **1st March, 2025**, immediately after the completion of the Inauguration Function that is 11 a.m. sharp. The teams shall be escorted to their respective courtrooms on the basis of their draw of lots. The *draw of lots* shall be done in the presence of all the participating teams on 28th February, 2025 by the Moot Court Committee, after the Researcher Test.

Sec. (15)(2) Once the team code and *draw of lots* have been disclosed to the teams, it shall be the duty of the respective teams as not to disclose their identity. The *draw of lots* shall comprise of informing the teams as to against which team they would be arguing in the preliminary rounds. On the same day i.e. 28th February, 2025 the **“Researcher Test”** shall take place at **6 P.M.** Only the Researcher, as indicated in the team registration, shall take the researcher test, the speaker can only take the researcher test if the team comprises of two speakers only.

Note: No two Teams will argue against each other more than once in the Preliminary Rounds.

Sec. (15)(3) The winners of the preliminary rounds shall, i.e. a total of eight teams (8 teams) qualify for the *Quarter Final* Rounds. The Quarter Final Rounds shall take place on **28th February**. The Teams qualifying for the Quarter Finals shall be on the basis of Two Rounds of Oral arguments in the Preliminary Rounds.

Sec. (15)(4) The *Semi-final* rounds shall comprise of Four teams. The Semi-Final rounds shall take place on **2nd March 2025**. The winner

of the Quarter-final rounds shall be declared qualified for the Semi Final Rounds.

Sec. (15)(5) The *Final Rounds* shall take place on **2nd March, 2025**. The two teams who stand declared as winners of the Semi Final Rounds shall qualify for the Final Rounds.

Proviso: In case of evaluation of All Rounds the Memorial Marks **shall not** be included to decide the merit.

Proviso: In case a **tie** takes place in the Quarter Final, Semi Final or Final Rounds, in that case, the marks of the Preliminary Rounds shall be the basis for deciding the winner.

However, in the Preliminary Rounds, in case the Round Total of the two teams is the same, the team with higher Memorial marks will be credited with a win.

Sec. (15)(6) **Evaluation and Time Allocation for All Rounds**

- i) *Preliminary Rounds: 30 minutes for each team*
- ii) *Quarter Final Rounds: 45 minutes for each team*
- iii) *Semi-Final Rounds: 45 minutes for each team*
- iv) *Final Rounds: 60 minutes for each team*

PART - IX

TEAM CODING

Sec. (16) The teams, participating in the competition, shall be allotted a *TEAM CODE* subsequent to the confirmation of their registration process. It is to be noted, that after the allocation of the team code, the respective teams, shall be subject to strict confidentiality, the violation which may result in the disqualification of such team. The decision of the Moot Court Committee and National Administrator shall be final in this regard.

PART - X

MEMORIAL RULES

Sec. (17)(1) All teams shall submit Memorials from both sides (Plaintiffs and Defendants).

Sec. (17)(2) **Requirements of the Memorials**

All teams must submit typed Memorials for both the sides fulfilling the following specifications: The Memorial must contain the following parts:

- a) Cover Page
- b) Table of Contents
- c) Index of Authorities
- d) Statement of Jurisdiction
- e) Statement of Facts
- f) Issues Involved
- g) Summary of Arguments
- h) Body of Arguments/ Arguments Advanced
- i) Prayer

Sec (17)(3) The Memorial Cover Page should follow the following colour scheme - Blue (#0000ff) for the Plaintiff and Red (#ff0000) for the Defendant. The use of decorative cover pages will attract negative markings. The teams are advised to use as far as possible light shades for their cover pages. The Cover page should contain the team code in the top right-hand corner followed by the letter 'P' indicating a Plaintiff memorial or the letter 'D' indicating a Defendant memorial.

Sec. (17)(4) The Statement of Facts shall not be argumentative. Any argumentative Statement of Facts will attract a negative marking. It may however seek to draw necessary inferences from the Facts provided. The Statement of Facts shall not contain any footnotes.

Sec. (17)(5) The Summary of the Arguments should consist of a substantive summary of the Arguments of the Memorial, rather than a simple reproduction of the headings contained in the Arguments. The Summary of Arguments should not contain footnotes.

Sec. (17)(6) **Length of the Memorial**

- a. The Statement of Facts shall not be more than 1200 words including headings.
- b. The Summary of Arguments shall not be more than 1200 words including headings.
- c. The Body of Arguments/ Arguments Advanced shall not be more than 9000 words including all headings, footnotes, headers and footers.

- Sec. (17)(7) The Memorials should be typed on ‘.doc/.docx’ documents compatible with Microsoft Word 2019 (or higher) only. The page size should be A4; the Font shall be ‘Times New Roman’ throughout the document with font size 12 (including headings), 1.5 lines spacing & 1 Inch margin on each side; Footnotes shall be in ‘Times New Roman’ with Font Size 10 and 1.0 spacing. The Participants may use uniform page borders.
- Sec. (17)(8) The Memorials shall use *The Bluebook: A Uniform System of Citation*, for the formatting of all cited authorities.
- Sec. (17)(9) The Memorial should be hard bound only. Any other form of binding will attract negative markings.
- Sec. (17)(10) No amendment of the Memorials will be permitted after submission.
- Sec. (17)(11) The identity of the team (except the Team Code) or the names of the participants shall not be disclosed in any part of the memorials. Doing so attracts disqualification straight away.
- Sec. (17)(12) **Marking criteria for the Memorials**
 Each Memorial will be marked out of a total of 100 marks. There will be separate markings for the Plaintiff and Defendant Memorials. The following will be the Marking Criteria and the allocation of marks to each category:

Sr.	Marking Criteria	Marks Allocated
1.	Use of Facts and Law	20
2.	Proper & Articulate Analysis	20
3.	Research	20
4.	Formatting and Citation	20
5.	Organisation of the Memorial	10
6.	Grammar and Style	10
	Total	100

Sec. (18) **Submission of Memorials**

Sec. (18)(1) The teams should e-mail one copy of both Memorials attached independently in the same mail to mcclawschool.bhu@gmail.com bearing the subject “**Memorial submission for 12th MMNMCC 2025**” or before **23:59 hours, 7th February, 2025**. The soft copy should be in ‘.doc/.docx’ format only and should be compatible with Microsoft Word 2019 (or higher). The file name should be the Team code followed by the letters ‘P’ or ‘D’ depending on which side the memorial is from.

E.g., if the memorial belongs to Team 1234 and is a Defendant memorial, the file name should be 1234D.

Sec. (18)(2) Four hard copies of each memorial shall be submitted to the college before **7th February, 2025**.

PART - XI

AWARDS

Sec. (19) The competition embraces the following awards:

- i. Winners Trophy*
- ii. Runners-Up Trophy*
- iii. Best Memorial*
- iv. Best Researcher*
- v. Best Speaker* i.e. Male and Female.

The National Administrator & Moot Court Committee may also grant any other prizes/Awards to any participants/teams in the competition.

PART - XII

CLARIFICATIONS

Sec. (20) Any *clarifications* regarding the moot court competition shall be adhered to by the National Administrator in consultation with the moot court committee, the decision of which shall be final. Any clarifications may kindly be sent to mcclawschool.bhu@gmail.com bearing the subject as “**Seeking clarification regarding 12th MMNMCC 2025**” or may contact at +91-9450244368 (During Office hours only)

PART - XIII
GENERAL CLAUSES

- Sec. (21)(1) The “Competition” means 12th Mahamana Malaviya National Moot Court Competition, 2025.
- Sec. (21)(2) “Competition Rules” shall mean and refer to the official rules of the competition formulated by the MCC. (The rules can be amended from time to time).
- Sec. (21)(3) “Clarification” means any clarification, regarding the competition shall be subject to the clarification by the moot court committee OR the National Administrator.
- Sec. (21)(4) “MCC” means Moot Court Committee of Law School, Banaras Hindu University.
- Sec. (21)(5) “National Administrator” means The Dean, Law School, Banaras Hindu University,
- Sec. (21)(6) “School” means Law School, Banaras Hindu University, Varanasi.
- Sec. (21)(7) “Rebuttals” shall mean and refer to the set of arguments/challenges that a petitioner shall raise, at the end of the main pleadings, of the counsels for the respondent. This shall be replied to, in the appropriate manner, by the respondent.
- Sec. (21)(8) “Unfair Means” means any participant/team violating any of the provisions of the competition rules shall be deemed to be disqualified.

For any queries kindly contact:

- Prof. Kshemendra Tripathi
Convenor, Moot Court Committee
Phone: +919450244368
- Devansh Mishra
Phone : +918299659151
- Himanshu Yadav
Phone: +917017306868

ANNEXURE - A

Registration form
(Please fill in capital letters)

Undertaking

1. We hereby state that our participation complies with the rules and regulations of the competition.
2. We certify that all the information provided/to be provided by Google form, mail or physical submission is correct. The materials submitted/to be submitted either by Google form or physical submission are prepared by us and agree to indemnify the organizers, i.e. Law Faculty, Banaras Hindu University for any claim or dispute arising out of the further use and exhibition of these materials.

(All particulars must be given)

Details of the Institution

Name:

Email:

Phone:

Team Details

1. Speaker No. 1

Name

Signature

2. Speaker No. 2

3. Researcher

Seal & Signature

Head of the Institution

Postal address: Law school, Banaras Hindu University, Varanasi, Uttar Pradesh,
221005.

ANNEXURE - B

TRAVEL PLAN

1. Name of Institution : _____

2. Arrival Details:

a. Mode of Arrival (Train/Air/Bus) : _____

b. Ticket/PNR No. : _____

c. Estimated Time of Arrival : _____

3. Departure Details:

a. Mode of Departure (Train/Air/Bus) : _____

b. Ticket/PNR No. : _____

c. Estimated Time of Departure : _____

4. Any other details:

Seal & Signature
Head of the Institution

Note: This Travel Form must reach Law School, B.H.U. on or before 15th February, 2025 at 5.30 pm.

MOOT PROBLEM

IN THE SUPREME COURT OF INDIA Original Jurisdiction

Public Interest Litigation (PIL)

PEOPLE FOR ENVIRONMENTAL INTEGRITY ...PETITIONER

VERSUS

UNION OF INDIA & SUNRISE ENERGY CORPORATION (SEC) ...RESPONDENTS

STATEMENT OF FACTS

1. INTRODUCTION TO THE PROJECT

The Union Government of India, in collaboration with Sunrise Energy Corporation (SEC), a multinational renewable energy company, launched the Green Galaxy Project in Tamil Nadu. The project aims to build Asia's largest solar power plant, spanning 15,000 hectares of land in the Kaveri Wetland Region, an ecologically sensitive Ramsar site. The project seeks to:

- a) Generate 15 GW of solar power, contributing significantly to India's renewable energy goals.
- b) Reduce India's carbon footprint by 10 million metric tons annually.
- c) Provide electricity to 5 million households and create 20,000 jobs.

2. ECOLOGICAL AND HUMAN IMPACT

- **Biodiversity Hotspot:** The Kaveri Wetland Region is home to endangered species such as the Indian Softshell Turtle, Smooth-Coated Otter, and migratory birds.
- **Cultural and Economic Dependence:** The region supports 20,000 local

residents, including Irula and Kattunayakan tribal communities, fisherfolk, and small-scale farmers. The wetland also contains the ancient Vellai Vinayagar Temple, protected under the Ancient Monuments and Archaeological Sites and Remains Act, 1958.

3. GOVERNMENT ACTIONS AND APPROVALS

- In March 2024, the Ministry of Environment, Forest, and Climate Change (MoEFCC) granted environmental clearance (EC) for the project under the Environment Protection Act, 1986.
- The EC relied on an Environmental Impact Assessment (EIA) prepared by EcoSync Solutions, a consultancy hired by SEC. The EIA concluded that the project's impact would be “manageable” with proper mitigation measures.
- The project was fast-tracked under the National Green Energy Mission (NGEM), invoking national interest and renewable energy priorities.

4. KEY CONTROVERSIES AND ALLEGATIONS

a) Flawed EIA Process:

- Independent experts allege that the EIA ignored critical ecological data, particularly on hydrology and biodiversity.
- Public consultations required under the EIA Notification, 2006 were allegedly inadequate, with minimal community participation.

b) Violation of Community Rights:

The displacement of tribal and local communities violates the Forest Rights Act, 2006, the Panchayats (Extension to Scheduled Areas) Act, 1996 (PESA), and their fundamental rights under Article 21 of the Constitution.

c) Damage to a Ramsar Site:

The project risks irreparable harm to the wetland ecosystem, violating India's international obligations under the Ramsar Convention and the Convention on Biological Diversity.

d) Cultural Damage:

Construction activities have reportedly caused structural damage to the Vellai Vinayagar Temple, sparking public outrage.

5. ADDITIONAL COMPLICATIONS

- During pre-construction activities, reports emerged of a 30% decline in fish populations due to soil dumping in nearby rivers.
- Public protests against the project led to the arrest of activists under the Unlawful Activities (Prevention) Act, 1967 (UAPA), raising concerns about freedom of expression.
- International organizations, including the Ramsar Secretariat, have criticized the project, tarnishing India's environmental reputation.

6. JUDICIAL PROCEEDINGS

- The National Green Tribunal (NGT) suspended the project's EC, citing procedural lapses. SEC appealed the NGT's decision to the Supreme Court of India, asserting the project's importance for renewable energy goals.
- Concurrently, the Irula community filed a separate petition, seeking protection of their cultural and livelihood rights under Article 21.

ISSUES FOR ADJUDICATION

- 1) Whether the environmental clearance granted to the Green Galaxy Project violates Indian environmental laws, including the Environment Protection Act, 1986, the Forest Rights Act, 2006, and the Environmental

Impact Assessment Notification, 2006.

- 2) Whether the fast-tracking of the project under the National Green Energy Mission (NGEM) violates procedural fairness and the principles of natural justice.
- 3) Whether the displacement of local communities violates their rights under the Forest Rights Act, 2006, Panchayats (Extension to Scheduled Areas) Act, 1996 (PESA), and Article 21 of the Indian Constitution.
- 4) Whether the project violates India's obligations under international treaties, including the Ramsar Convention and the Convention on Biological Diversity.
- 5) Whether the invocation of UAPA against protestors infringes upon their constitutional rights under Articles 19 and 21.
- 6) How should the principle of sustainable development and intergenerational equity be applied in balancing renewable energy goals with ecological and social justice?

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