

GURU CHARAN DAS MEMORIAL

1st National Moot Court Competition, 2024



Organized by
IQAC, Goalpara Law College

In collaboration with
District Legal Services Authority (DLSA), Goalpara

Date : 25th May, 2024

Venue : Goalpara Law College, Bhalukdubi, Goalpara, Assam

Ph. No. : 6002852741, 8638122709

Email ID : iqacgoalparalawcollege@gmail.com





About GOALPARA LAW COLLEGE

Goalpara Law College, the sole legal institution in the district has the credit of 37 glorious years of its existence in imparting legal Education. The College, on completion of its 25 years existence, celebrated its silver Jubilee in the year 2012. The college is Situated on the outskirts of Goalpara town at Bhalukdubi, 5 k.m away from town, over a plot of 20 bighas of Govt. land allotted by the District administration in the year 1987 and constructed buildings thereon by the DRDA and G.B. of the College at different times.

The college was established in the year 1987 after a public meeting held on 21-02-1987 at Goalpara College building under the president ship of Dr. Annada Charan Das being convened by six advocates namely Sri Gurucharan Das, Late Bishwanath Nath, Late Tohidur Rahman, Late Keshab Ranjan Nath, Late Prabhat Nath and Sri Jiten Das. The college was started by the people of Goalpara District with the help and co operation of District administration, G.U Authority, Govt., Bar Council of India, Goalpara College and all other concerned.

The college was inaugurated formally on 12/01/1988 by the then Law Minister of Assam S. N. Medhi at Goalpara College building and classes were held there till 1997. Subsequently the college was shifted to the present campus, which was inaugurated by the then hon'ble Chief Justice of Gauhati High Court Justice M. Ramkrishna on 9th August, 1997 in presence of Justice V. D. Gyani been catering the needs of several neighboring districts besides Goalpara. The college has 16 teachers including Principal and Rector. The teachers are also rendering dedicated service. The founder Principal Sir G.C. Das, retired and Dr Anup Kr. Ray has taken over the charge. The founder member and founder faculty Sri Jiten Das has been attached as Rector of the institution. Mr. Das is a renowned legal luminary of the district and he is imparting clinical education and practical trainings to students. Mr. Das has been taking utmost care for all round development as guardian of the institution.

The college received permanent affiliation from G.U. and the Bar Council of India granted permanent recognition. The result of the college has been tremendously good.

The college is being managed by a Trust namely "Ambika Charan Das Memorial & Charitable Trust" along with a strong Governing Body with able guidance and management chaired by Dr Mantu Kr. Das.

About MOOT COURT SOCIETY

The Moot Court Society of Goalpara Law College is a dynamic and vibrant student organization dedicated to fostering excellence in advocacy skills among its members. Situated within the esteemed Goalpara Law College, this society serves as a platform for aspiring lawyers to hone their legal acumen and courtroom abilities.

Led by a team of dedicated students and faculty advisors, the Moot Court Society organizes a range of activities and events aimed at providing practical training and experience in moot court competitions. Members engage in intensive preparation sessions, where they dissect legal issues, conduct thorough research, and craft persuasive arguments.

One of the highlights of the Moot Court Society's activities is its participation in regional and national moot court competitions. Representing Goalpara Law College, students showcase their skills in stimulated court proceedings, competing against peers from other institutions. These competitions not only test the participants' knowledge of substantive law but also their ability to think on their feet, respond to challenging questions, and present compelling arguments.

In addition to competitive events, the Moot Court Society organizes workshops, seminars, and remedial classes by prominent legal professionals. These sessions provide valuable insights into various aspects of legal practice, including courtroom advocacy, legal research, and writing. Moreover, they offer networking opportunities for students to connect with experienced practitioners and expand their professional contacts.

The Moot Court Society of Goalpara Law College prides itself on its commitment to academic excellence, professionalism, and teamwork. Through its activities, it aims to equip students with the skills and confidence needed to excel in the legal profession. By fostering a culture of rigorous preparation, intellectual inquiry, and mutual support, the society plays a pivotal role in shaping the future generation of legal professionals from Goalpara Law College.

About

District Legal Services Authority, Goalpara

The Legal Services Authority Goalpara has constituted in pursuance to the notification of Assam State Legal Services Authority letter No. LGL/176/94/pt/11/48, dated 07-04-98³²⁶ conferred by section 9 of the Legal Services Authority Act, 1987 (Central Act no: 39 of 1987), read with Rule 10 of the Assam State Legal Services Authorities Rules 1996 wherein, the Governor of Assam in consultation with the Hon'ble Chief Justice, Gauhati High Court, pleased to constitute the District Legal Service Authorities for the respective districts of the State of Assam with immediate effect. Accordingly in the year 1999, under the Chairmanship of B. D. Bhuyan, the then District and Sessions Judge, Goalpara the District Legal Services Authority was constituted with its prime motive to ensure equality of justice for all.

General Information :

1. The Competition is being conducted by the Goalpara Law College in collaboration with District Legal Service Authority, Goalpara, Assam on 25th May, 2024
2. The Competition shall consist of following oral rounds of arguments :
 - Preliminary Round.
 - Final Round.
3. The competition shall be conducted in accordance with the rules mentioned herein under and the participants are required to adhere to the same. It is clarified that any non-adherence to the rules herein under by the participants shall be construed as an effective breach of the guidelines of the competition which shall lead to an immediate disqualification of such a team from the competition.

RULES & REGULATION

LANGUAGE :

English shall be the only official language recognized during conduct of the competition. The memorial as well as oral submissions have to be made in English language only.

DRESS CODE :

Participants shall be appropriately attired throughout the conduct of the competition (Inauguration, Oral Rounds, Valedictory & Prize distribution) in the manner provided : the dress code shall strictly be :

For gentlemen - Western Formal (White formal shirt with black formal trousers and a black blazer with tie) and

For Ladies Western Formal (White formal shirt with black formal trousers/skirt and a black blazer) or Indian formal (White kurta, black salwar and black dupatta along with the black blazer) [Presence of Robes and collar bands in the attire detailed above are strictly prohibited.]

TEAM ELIGIBILITY :

Participation is strictly restricted to Bonafide undergraduate Law Students pursuing the three years or five years Law Degree program from the Institution/University recognized by Bar Council of India. Only Two Team can register from a law school or college of a recognized University/Institution as a participant in the competition. Team are required to submit (NOC) No Objection Certificate issued by the Head of the Institute belongs.

DEFINITIONS :

1. **Administrator** : "Administrator" means the core committee and the convenors/co-ordinators of the competition at the Goalpara Law College, Goalpara, Assam.
2. **Competition** : "Competition" means Guru Charan Das Memorial 1st National Moot Court, Goalpara Law College, Goalpara, Assam, to be held on 25th May, 2024.
3. **Bench** : "Bench" means the Judge of the Oral Rounds of arguments collectively.
4. **Rules** : "Rules" means the official rules of the competition and any other applicable supplements to the rules published by the organising committee.
5. **Team** : "Team" means and shall mean all the three members including the counsel, co-counsel and researcher. Researcher shall be the non-speaking participant of each team.

6. **Memorial** : “Memorial” means the written pleadings of each team, submitted pursuant to these rules.
7. **Rebuttals** : “Rebuttals” means the challenges presented by the petitioner in response to the Respondent’s submissions.
8. **Sur-rebuttal** : “Sur-rebuttal” means the defence presented by the respondent to the rebuttals as defined above.

REGISTRATION :

- Registration - Interested teams are required to register themselves to participate in the competition by filling a registration form on this link - [CLICK HERE](https://forms.gle/cyN3jUCx14jnGMWm7)
<https://forms.gle/cyN3jUCx14jnGMWm7>
- The teams are required to mention the E-mail ID of the Institute they represent.
- Deadline for the Online Registration - **May, 15th, 2024 (Till 11.99 PM 1st)**.
- Registration Fee - **₹ 2,000/- (Indian Rupees Two thousand only)** per team.
- The confirmation of registration will be notified to the teams by the organizers, after the competition and verification of the Registration formalities.
- The Teams will be provided with a Team Code and in any stage of the competition, a team must be Identified only by allotted team code.
- After completion of registration process including payment teams must send the details to :
Email ID : iqacgoalparalawcollege@gmail.com

PAYMENT DETAILS :

The procedure for the payment of the registration fee shall be as follows :

All the teams shall be required to make an online payment of **₹ 2,000.00 only**.

Beneficiary : **Goalpara Law College**

Bank : **Central Bank of India**

Branch : **Goalpara Branch**

IFSC Code : **CBIN0282567**

Account No. : **2136700458**

MEMORIAL AND EVALUATION :

STRICT ADHERENCE REGARDING THE RULES :

- The Teams are expected to strictly adhere to the Rules regarding submission of Memorial(s). Non-adherence to the same will attract penalties as provided under the Rules.
- Memorials to be submitted from both sides : Each team must prepare Memorials for both the sides to the dispute i.e., the Petitioner(s) and the Respondent(s) as the case may be. The rules regarding the Memorial are stated as under.
- General Conditions for Memorial : The Memorial shall not contain any form of identification of the participating institution 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, the same shall result in instant disqualification of the participating team.

SPECIFIC GUIDELINES FOR MEMORIAL :

- The Memorial has to be submitted in soft copy formats only.
- Each Team shall submit the soft copy of the Memorial, in **"pdf"** format on or before **15th May, 2024** not later than **11:59 pm [IST]** through the email id - **iqacgoalparalawcollege@gmail.com**
- Each Team shall carry hard copies (3 Copies) of the Memorials which was sent by them already, in terms of above, at the time of their virtual registration for the competition on **May 25th, 2024**.
- The name of the Memorial should be according to the Team Code and the side (Petitioner and Respondent) for which the Written Submission is prepared. The Team Code must be prescribed on the top right corner of the cover page and must be succeeded by the side for which the Memorial is prepared.
- A penalty of 1 (One) mark shall be levied in case the Memorial is submitted in any other format or as multiple files by the Team at the time of submission of the soft copies of the memorials.
- The team submitting their 'Memorial' after the last date of the submission shall stand "disqualified" from the competition.

GUIDELINES FOR FORMATTING :

1. Memorial Structure : The Memorial must contain the following contents in the order as stated below -
 - Cover Page - The Cover Page must be BLUE for the Petitioner and RED for the Respondent. A penalty of 1 (One) mark per side shall be levied in case the team uses the wrong cover page in their Memorial. The Cover Page of the Memorial must contain the following information: The 'team code' in the top right corner.
 - The 'name' and 'year' of the Competition.
 - The name of the case (Case Title)
 - The 'side' for which the Memorial has been prepared.
 - Name of the 'forum' adjudicating the dispute.
 - Table of Contents
 - List of Abbreviations
 - Index of Authorities : The Index of Authorities must list all the authorities cited in the Memorial.
 - Statement of Jurisdiction;
 - Statement of Facts : The Statement of Facts must contain a concise statement of the relevant facts to the dispute. As far as may be, the Statement of Facts should be limited to the stipulated facts and legitimate inferences which can be drawn from those facts. Argumentative facts are prohibited. Statement of Facts shall not exceed 2 pages. [Note: Non- compliance will result in a penalty of 1 mark for each exceeded page.]
 - Issues Raised
 - ◆ Summary of Arguments : The summary of arguments should contain a summary of the substance of the arguments, and should not merely be the production of the various headings and sub-headings of arguments. The Summary of Arguments shall not exceed 2 pages. [Note: Non- compliance will result in a penalty of 1 mark for each exceeded page.]
 - ◆ Pleadings/Arguments Advanced : All legal arguments must be limited to the Pleadings/Arguments Advanced section of the Memorial. The Pleadings/Arguments Advanced must not exceed 20 pages. [Note: Non- compliance will result in a penalty of 2 marks for each exceeded page.]
 - ◆ Prayer : The Prayer shall not exceed 1 Page.

Final Round

- The top two team from the Preliminary round shall directly qualify for the final round. It shall be a knock out round.

Scouting

- Scouting is strictly prohibited.

Marking Criteria :

Sl. No.	Marking Criteria	Marks Allocated for Pre Round	Marks Allocated for Final Round
1.	Knowledge of facts	16	20
2.	Application of Legal Principles	16	20
3.	Use of Authorities and Precedents	16	20
4.	Response to Judge's Questions	16	20
5.	Presentation skills	16	20
6.	Memorial both sides (Petitioner / Respondent)	20	-
	Total	100	100

AWARDS

WINNER :

The Team shall be awarded a cash prized of ₹ 20,000/- (Twenty thousand) only + Trophy + Certificate.

RUNNERS-UP :

The Team shall be awarded a cash prized of ₹ 10,000/- (Ten thousand) only + Trophy + Certificate.

BEST MOOTER :

₹ 5,000/- (Five thousand) only + Certificate.

BEST MEMORIAL :

₹ 5,000/- (Five thousand) only + Certificate.

BEST RESEARCHER :

₹ 5,000/- (Five thousand) only + Certificate.

ADVISORY COMMITTEE



Mr. Mantu Kr. Das
Chairman, G.B.
Goalpara Law College
Patron



Shri Jiten Das
Rector
Goalpara Law College
Patron



Dr Anup Kr. Ray
Principal
Goalpara Law College
Patron



Shri Sanjay Sarma
Convenor
Ph. No. : 8638122709



Shri Debajit Adhikary
Coordinator
Ph. No. : 9365454846



Md. Shahid Ahmed
Coordinator
Ph. No. : 9101100955



Ms. Sarmistha Chakrabarty
Coordinator
Ph. No. : 6001257153

STUDENT CO-ORDINATOR



Sorif Mustaba
Ph. No. : 8011327780



Kabita Das
Ph. No. : 9395580097



Akash Sarma
Ph. No. : 9101622903



Chidora R. Marak
Ph. No. : 9366145485

MOOT PROBLEM

Aarav v. Zara & Ors. :

In the city of Gaunagar (State of Nilachal Pradesh) New Bharat, renowned for its cultural diversity, a matrimonial dispute unfolds between two individuals, Aarav (a Hindu) and Zara (a Muslim), who entered into an inter-religious marriage despite vehement opposition from their families.

The day Zara stepped into Aarav's home, met with a cold reception as the family, deeply rooted in tradition, could not fathom the union of their son with someone from a different faith. As days turned into weeks, the disdainful gazes of the family strangely transformed into care and affection. Aarav's family now got to know that Zara is the only Daughter of a renowned businessman of the city. Driven by greed and societal status, Aarav's family showered Zara with feigned affection, masking their true intentions behind a facade of hospitality. However, Zara, with her discerning eyes, could see through the charade, and in deep beneath yearned for genuine acceptance and love of family which money could not buy.

Despite of so many challenges and different attempts of radical groups to nullify their marriage, Aarav and Zara stood united by the threads of their genuine affection and found solace in each other's support. And as time flew by, five years had passed since their marriage and by the time they have also been blessed with, 'Aashi'...their girl child aged 3 years.

One day, Aarav's childhood best friend, Raj, who had become well-settled in Canada, visited India and Aarav was overjoyed to see him after so many years. Raj proposed Aarav and Zara to visit the serene hill station of "Rasauli", to which both Aarav and Zara eagerly agreed upon. It was the first time in years that Aarav and Zara were going somewhere together, leaving behind the weights of their troubles.

As the trio embarked on their journey to 'Rasauli', Aarav and Zara were filled with an unparalleled sense of happiness. But cruel fate dealt them a sharp blow. It seemed like someone had cast an evil eye on Aarav and Zara's blissful abode!

A private moment captured on video, meant only for their eyes, was maliciously leaked onto

social media, tarnishing their reputation beyond repair and leading to character assassination and threats. Overnight, Aarav and Zara's settled world shattered, leaving them reeling in disbelief and despair.

Subsequently Zara fell victim to the radical group of her faith and filed for divorce before the Family Court of Gaunagar on the ground of irreconcilable differences due to religious disparities, invasion of privacy through online platforms. Zara accuses Aarav of posting sensitive information on social media and also alleges of cyber stalking, however, Aarav insists on maintaining the union. The Family Court granted a divorce, Moreover a significant portion of the marital assets and the custody of the minor children was given to Zara, and the High Court of Nilachal Pradesh upheld the decision of the family court. Mr. Aarav now appeals to the Supreme Court, arguing the violation of his constitutional rights, misuse of the Information Technology Act, 2000 and incorrect interpretation of family law provisions.

Grounds of Appeal:

Constitutional Rights Violation : Mr. Aarav contends that the denial of the right to freely practice and profess one's religion, along with interference in the choice of marriage, violates his fundamental rights under Articles 14, 21, and 25 of the Constitution of New Bharat.

Misuse of Information Technology Act : Mr. Aarav argues that the circulation of the private video clip infringes upon his privacy rights and seeks a review of the application of relevant provisions under the Information Technology Act, 2000.

Interpretation of Family Law : Mr. Aarav challenges the interpretation of family law provisions that led to the grant of divorce, asserting that the court did not adequately consider the unique circumstances of an inter-religious marriage.

Custody Arrangement : Mr. Aarav contends that the Family Court erred in awarding sole custody to Mrs. Zara without adequately considering his parental rights and involvement in the children's lives.

Property Division : Mr. Aarav asserts that the Family Court did not equitably distribute marital assets and seeks a review of the division, claiming he has been unfairly disadvantaged.

Legal Questions :

1. **How does the court balance the right to religious freedom against societal expectations and opposition in the context of inter-religious marriages?**

2. To what extent can the Information Technology Act, 2000, be invoked to protect individuals from the misuse of personal content on social media platforms?
3. What considerations should be taken into account when interpreting family law provisions in the context of inter-religious marriages and divorce?
4. To what extent should the court consider each parent's involvement in the children's lives when determining custody arrangements?
5. How does the court assess the equitable distribution of marital assets, and what considerations should be weighed in the context of this case?

Parties : Appellant : Mr. Aarav, Respondent : Mrs. Zara and Others

Court Jurisdiction : The appeal is filed before the Supreme Court of New Bharat, involving constitutional law, family law, and the Information Technology Act, 2000.

This moot problem offers participants a challenging scenario, encouraging them to analyze the legal complexities arising from inter-religious marriages, constitutional rights, family law, and technology-related issues.

Nearest Places to Visit



Historic Sri Sri Surja Pahar Mahapithasthan



Tirtheswar Temple

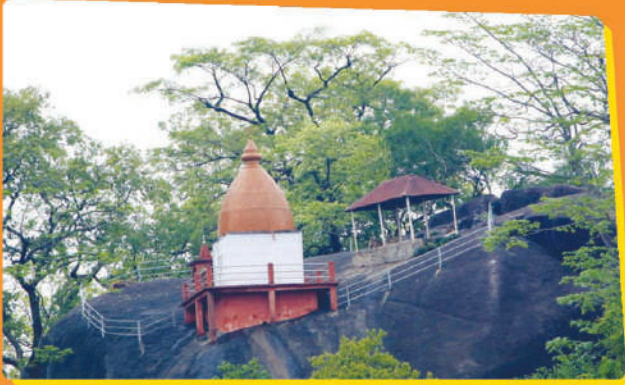


Pir Mazar Dargah, Jaleswar



Sainik School, Goalpara

Nearest Places to Visit



Tukreswari Devalaya



Tukreswari Devalaya



Rongsapara



Naranarayan Setu



Urpad Beel