

School of Law, Bennett University

IV Bennett National

Moot Court Competition

Theme:

Constitutionality of Cryptocurrency

In India

Eminent Jurists Law Firm, Official Sponsor

Exclusive Knowledge Partner, EBC and SCC Online

Competition Brochure and Rule Book

11th to 13th of February, 2022

ABOUT BENNETT UNIVERSITY

Bennett University has been established by the 'Times Group', India's largest media conglomerate through Act No. 24 of 2016 passed by the Government of Uttar Pradesh. The University at present offers unique inter-disciplinary and contemporary courses through its Schools of Engineering and Applied Sciences, Management, Law and Media & Liberal Arts. In addition, the University has also established the Centres for Innovation & Entrepreneurship and External Relation & Executive Education. Bennett University as part of its plan to excel as the frontline multi-and inter-disciplinary University has established partnerships with Babson College, Georgia Institute of Technology, EDX.org and will collaborate with leading knowledge players in the world.

ABOUT THE SCHOOL OF LAW

Bennett University established the School of Law with a vision to strive for excellence in teaching, research and advocacy towards Justice for all by shaping thought leaders in public policy of National and International dimensions. The school at present is offering B.A.LL.B. (Hons.); B.B.A.LL.B. (Hons.); LL.B (Hons.); and PhD courses and imbibes the best practices of national and international law schools in terms of curriculum, pedagogy, innovation in teaching methods and to add new interfaces addressing emerging new issues. The School of Law has established research centres to enhance and provide the best research facilities to its students and faculty. At present, there are 6 centres in operation which facilitate prominent research activities in their concerned areas, these Centres are: **Centre for Law Technology & Innovation, Centre for Post Graduate Studies, Centre for Continuing Legal Education, Centre for Sustainable Development & Disaster Studies, Centre for Social Sciences & Centre for Human Rights.** School of Law, Bennett University is invested and promoted by the largest media enterprise, which is a natural ally in voicing people rights has envisaged this school to educate and train the future thought leaders in the field of Law.

IV BENNETT NATIONAL MOOT COURT COMPETITION 2022

Constitutionality of Cryptocurrency in India

Law and Technology have often shared a unique relationship. Not only does law seeks to govern various operational aspects in the usage of technology, it has also used technology for the purposes of its implementation. Technological advancements have often posed various challenges to law which the latter is frequently struggling with.

One such area in which this struggle has manifested itself is in the domain of cryptocurrency. The emergence of cryptocurrency as a concept can be attributed to increasing development of information and technology, posing numerous challenges in the field of data protection, constitutionality of technology and privacy, with a major impact on finances and governance. This often brings us to a pertinent question as to whether law regulates technology or technology operates the implementation of law.

The School of Law, Bennett University is conducting its Fourth National Moot Court Competition from February 11 to 13, 2022 which revolves around this theme of law and technology focusing on the constitutionality of cryptocurrency. The Moot Court Competition aims to dwell upon this infamous relationship between Law and Technology and its implication on the legal system.

The moot proposition has been drafted by **Adv. Prateek Mishra, Partner, EPA Law Offices**, who specializes in analysing the interface between technology and law.

MOOT PROPOSITION

1. The Republic of Edna is a fast-growing major economy located in the Indian Ocean Region. It is the sixth-largest economy by nominal GDP and the third-largest in terms of Purchasing Power Parity (PPP). Edna is a common law country with a parliamentary democracy and its legal system is governed by the Constitution of Edna. The highest judicial authority is the Supreme Court of Edna and the Reserve Bank of Edna is the country's Central Bank. It is the regulator of the Ednian banking system and also operates the monetary policy framework in the country.
2. Since the introduction of the first virtual currency in 2009, global usage of cryptocurrencies and digital tokens has consistently increased. It is estimated that about 20,000 businesses today accept payments by way of virtual currencies and that there are more than 300 million virtual currency users in the world. Adoption of virtual currencies in Edna took off around 2016, and by late 2020, it had already become one of the top 10 countries in terms of virtual currency users with a 10 % global market share. However, until 2021, there was no special legislation in Edna governing or regulating virtual currencies.
3. Concerned by the increased usage of virtual currencies, the Reserve Bank of Edna issued various public notices between 2013 and 2017 and cautioned users and traders against serious risks involved in dealing with virtual currencies such as cryptocurrencies and tokens. Primarily, the regulator has been concerned with the inherent limitations in regulating virtual currencies given the de-centralised nature of the underlying transactions and the difficulties associated in tracing any activities of terrorism funding and money laundering where such transactions are used.
4. During this time, a number of Virtual Currency Exchanges (“**VC Exchanges**”) were incorporated by citizens in Edna with the objective of providing platforms that could offer trading and settlement services for various virtual currencies. ECTX, promoted by Peter Nazeer, an Ednese citizen, soon became the leading VC Exchange in Edna.

5. In 2017, when virtual currency transactions had substantially increased, the Reserve Bank of Edna sought to restrict entities regulated by it from providing any services to, or facilitating the activities of, any entity or person dealing with or settling virtual currencies:

RBE Circular dated 06-04-2017

Reserve Bank has repeatedly through its public notices in December 2013, February 2017 and December 2017, cautioned users, holders and traders of virtual currencies, including Bitcoins, regarding various risks associated in dealing with such virtual currencies.

In view of the associated risks, it has been decided that, with immediate effect, entities regulated by the Reserve Bank shall not deal in VCs or provide services for facilitating any person or entity in dealing with or settling VCs. Such services include maintaining accounts, registering, trading, settling, clearing, giving loans against virtual tokens, accepting them as collateral, opening accounts of exchanges dealing with them and transfer/receipt of money in accounts relating to purchase/sale of VCs.

Regulated entities which already provide such services shall exit the relationship within three months from the date of this circular.

6. Various writ petitions were filed against the RBE Circular dated 06-04-2017 before the Supreme Court of Edna. The court passed its judgment in these writ petitions in 2019. In the said judgment, the court allowed the said writ petitions and set aside the above RBE Circular on the principle of proportionality.
7. Between 2018 and 2021, given RBE's previous actions as well as uncertainty over Edna's regulatory stance over virtual currencies, several VC Exchanges continued operating the trading platforms in Edna but chose to shift their platform infrastructure and data storage facilities to Singapore. They were now operating through entities

incorporated in Singapore. Further, the user agreements for the platforms offered by these exchanges were now governed by Singapore law and any disputes were subject to the exclusive jurisdiction of courts in Singapore. ECTX was among the VC Exchanges which had shifted their bases to Singapore and had modified their agreements in this manner.

8. This period also saw VC Exchanges purchasing substantial television, radio and internet advertisement slots in India. The general perception about these advertisements was that they targeted the lower middle-class, claimed that investments in virtual currencies is completely safe and promised astronomical returns against investments as low as ENR 100. Over the internet, sponsored posts by influencers presented these investments as ‘completely legal’.
9. Given the RBE’s serious concerns about private virtual cryptocurrencies and the VC Exchanges’ marketing tactics, which the Government of Edna deemed as ‘misleading the youth of the country’, Edna fast-tracked the procedure to bring in a legislation to regulate virtual currencies. During this time, a few instances of the exchanges being hacked and virtual currencies being stolen were also reported. There was also a news report regarding the pumping and dumping of a ‘meme coin’.
10. While Edna had initially contemplated regulating rather than outrightly banning virtual currencies, in August 2021, the Parliament of Edna enacted the Edna Official Digital Currency Act, 2021 (“**EDCA**”) “*to prohibit the use of virtual currency and regulate the Official Digital Rupee and for matters connected therewith or incidental thereto.*”¹ The said legislation banned the cryptocurrency in the following manner:

Prohibited Transactions:

¹ Annexure A to the Moot Proposition

3. (1) No person shall mine, generate, hold, sell, deal in, issue, transfer, dispose of or use Cryptocurrency in the territory of Edna.

(2) Nothing in this Act shall apply to any person using technology or processes underlying any Cryptocurrency for the purpose of experiment or research, including imparting of instructions to pupils provided that no cryptocurrency shall be used for making or receiving payment in such activity.

(3) Nothing in this Act shall apply to the use of Distributed Ledger Technology for creating a network for delivery of any financial or other services or for creating value, without involving any use of cryptocurrency, in any form whatsoever, for making or receiving payment.

Cryptocurrency not to be used as legal tender and currency:

6. (1) No person shall directly or indirectly use Cryptocurrency in any manner, including, as, -

- (a) a medium of exchange; and/or Prohibited transactions.
- (b) a store of value; and/or
- (c) a unit of account.

(2) Cryptocurrency shall not be used as legal tender or currency at any place in Edna .

11. The EDCA was notified in the Official Gazzette on 2nd August 2021. As soon as it was notified, VC Exchanges providing services in Edna protested against the outright

ban on the virtual currencies and pointed to the significant monetary loss as well as loss of livelihood and employment that such action had already caused. Various delegations made representations to the Government to suspend the operation of provisions that banned cryptocurrency and offered to work with the Government of Edna towards solutions aimed at ensuring effective governance and regulation of virtual currencies in Edna. However, those attempts did not succeed.

12. In the meanwhile, in view of the transition provisions contained in the EDCA, these exchanges, including ECTX commenced action to dispose of all cryptocurrency assets that it held on behalf of Ednian users. In order to comply with its duties of declaration contained in the act, ECTX commenced demanding personal data such as Unique Identity Number (“UIN”) as well as the Income Tax Registrations (“ITR”) of these users, so that the provisions could be complied with in full spirit and their cryptocurrencies, converted back into Ednese Rupee, could be refunded.
13. Given that over 1.5 crore Ednians were using the ECTX platform, to ensure compliance within the time limit permitted in the EDCA transition provisions, ECTX hired an Ednian payment processing company, Edna Quick Process Private Limited (“EQPL”), to ensure expeditious settlement and reimbursement of funds to Ednian users.
14. However, this would not be without its own challenges for ECTX. Huge panic selling in anticipation of, and after the enactment, of the EDCA led to a crash in prices of almost all virtual currencies that were listed on ECTX. Given the abysmal return on investment in the aftermath of the EDCA enactment, ECTX suffered from a loss of goodwill in the Ednese market.
15. Further, as soon as users became aware that ECTX had shared their personal data with EQPL, an Ednian company, complaints under Section 72 and Section 72A of the Edna Information Technology Act were filed against ECTX and Peter Nazeer

across various states in Edna. The complaints alleged breach of confidentiality and privacy by ECTX. A First Information Report (“**FIR**”) was registered by the Edna Capital State Police in one of said complaints.

16. In this background, and having failed to convince the government to reconsider the ban on virtual currencies, ECTX and Peter Nazeer have filed a writ petition under Article 32 of the Constitution before the Supreme Court of Edna. The petition challenges the constitutionality of the EDCA provisions that ban mining, generating, holding, selling, dealing in, issuing, transferring, disposing of, or using Cryptocurrency in the territory of Edna.

17. In addition, Peter Nazeer has filed another writ petition under Article 32 before the Supreme Court seeking that the FIR registered against him be quashed *inter alia* since the actions were taken to comply with the EDCA provisions. The Republic of Edna has opposed the said writ petition on the grounds of maintainability and has denied that the grounds raised by Peter Nazeer are sufficient to seek the quashing of an FIR.

18. The following questions have been raised in the two petitions for the Supreme Court’s consideration:

- a. *Whether or not the Supreme Court of Edna should club the two writ petitions filed by ECTX and Peter Nazeer.*
- b. *Whether or not, and in which circumstances can the Supreme Court of Edna quash an FIR in a writ petition under Article 32 of the Constitution of Edna.*

And, if so, whether or not the grounds raised to seek quashing of the FIR are sufficient to allow the said petition.

- c. Whether or not the provisions of the EDCA ban mining, generating, holding, selling, dealing in, issuing, transferring, disposing of or using virtual currency in the territory of Edna ought to be declared unconstitutional.*

Notes to Participants:

- The Republic of Edna has adopted the Constitution of India verbatim and all the laws and regulations including the prevailing circumstances in India are applicable for the purposes of this moot proposition.
- Provisions contained in the Edna Information Technology Act are the same as each of the provisions under the India Information Technology Act, 2000.
- Provisions contained in the Edna Official Digital Currency Act, 2021 have been adopted verbatim from India's Draft Banning of Cryptocurrency and Regulation of Official Digital Currency Bill, 2019.
- The Government of Edna may sue or be sued by the name of Republic of Edna.

ANNEXURE – A

EDNA OFFICIAL DIGITAL CURRENCY ACT, 2021

Short Title, Extent and Application

1. (1) This Act shall be called the Edna Official Digital Currency Act, 2021.

(2) It extends to the whole of Edna.

(3) It shall come into force on such date as may be appointed by the Central Government through notification in the official gazette.

Definitions:

2. (1) In the Act, unless the context otherwise requires, -

(a) Cryptocurrency, by whatever name called, means any information or code or number or token not being part of any Official Digital Rupee, generated through cryptographic means or otherwise, providing a digital representation of value which is exchanged with or without consideration, with the promise or representation of having inherent value in any business activity which may involve risk of loss or an expectation of profits or income, or functions as a store of value or a unit of account and includes its use in any financial transaction or investment, but not limited to, investment schemes;

Prohibited Transactions:

3. (1) No person shall mine, generate, hold, sell, deal in, issue, transfer, dispose of or use Cryptocurrency in the territory of Edna.

(2) Nothing in this Act shall apply to any person using technology or processes underlying any Cryptocurrency for the purpose of experiment or research, including imparting of instructions to pupils provided that no cryptocurrency shall be used for making or receiving payment in such activity.

(3) Nothing in this Act shall apply to the use of Distributed Ledger Technology for creating a network for delivery of any financial or other services or for creating value, without involving any use of cryptocurrency, in any form whatsoever, for making or receiving payment.

Cryptocurrency not to be used as legal tender and currency:

6. (1) No person shall directly or indirectly use Cryptocurrency in any manner, including, as, -

- (a) a medium of exchange; and/or Prohibited transactions.
- (b) a store of value; and/or
- (c) a unit of account.

(2) Cryptocurrency shall not be used as legal tender or currency at any place in Edna.

Prohibition on use of Cryptocurrency for certain activities:

7. (1) No person shall directly or indirectly use Cryptocurrency for activities including, the following-

- (a) as a payment system, whether authorised under Section 4 of the Payments and Settlement Systems Act, 2007 or otherwise;
- (b) buy or sell or store Cryptocurrency;
- (c) provide Cryptocurrency related services to consumers or investors which includes registering, trading, settling, clearing or other services;
- (d) trade Cryptocurrency with Ednian currency or any foreign currency;
- (e) issue Cryptocurrency related financial products;
- (f) as a basis of credit;
- (g) issue cryptocurrency as a means of raising funds; and/or
- (h) as a means for investment.

Offenses:

8. (1) Whoever directly or indirectly mines, generates, holds, sells, deals in, transfers, disposes of or issues Cryptocurrency or any combination thereof with an intent to use it for any of the purposes mentioned in, or directly or indirectly uses Cryptocurrency for any of the activities mentioned in, clauses (e), (g) and/or (h) of sub-section (1) of Section 7 shall be punishable with fine or with imprisonment which shall not be less than one year but which may extend up to ten years, or both:

Provided however that any direct or indirect acquisition, storage or disposal of Cryptocurrency for the purposes mentioned in sub-section (4) of section 8 shall be punishable in the manner set out therein.

(2) Whoever directly or indirectly mines, generates, holds, sells, deals in, transfers, disposes of or issues Cryptocurrency or any combination thereof with an intent to use it for any of the purposes mentioned in, or

directly or indirectly uses Cryptocurrency for any of the activities mentioned in, subsection (1) of Section 7 or clauses (a), (b), (c), (d) and/or (f) of sub-section (1) of Section 7 shall be punishable with fine or imprisonment which may extend up to ten years or both:

Provided however that any direct or indirect acquisition, storage or disposal of Cryptocurrency for the purposes mentioned in sub-section (4) of section 8 shall be punishable in the manner set out therein.

(3) Whoever directly or indirectly promotes, issues any advertisement, solicits, abets or induces any participation in any activity involving the use of Cryptocurrency for any of the purposes or activities mentioned in sub-section (1) of Section 6 or sub-section (1) of Section 7 shall be punishable with fine or imprisonment which may extend up to seven years or both.

(4) Whoever directly or indirectly acquires, stores or disposes of Cryptocurrency or any combination thereof with an intent to use it for any of the purposes provided in sub-section (1) of section 6 or sub-section (1) of section 7 on a non-commercial basis shall be punishable with a fine.

Power to grant immunity:

16. (1) The Central Government may, on recommendation by the Investigating Authority, but without being bound by such recommendation, if the Central Government is satisfied, that any person, who is alleged to have violated any of the provisions of this Act or the rules made there under, has made a full and true disclosure in respect of alleged violation, grant to such person, subject to such conditions as it may think fit to impose, immunity from prosecution for any offence under this Act, or the rules made there under or also from the imposition of any fine under this Act with respect to the alleged violation:

Provided that no such immunity shall be granted by the Central Government in cases where the proceedings for the prosecution for any such offence have been instituted before the date of receipt of application for grant of such immunity.

(2) An immunity granted to a person under sub-section (1) may, at any time, be withdrawn by the Central Government, if it is satisfied that such person had, in the course of the proceedings, not complied with the condition on which the immunity was granted or had given false evidence, and thereupon such person may be tried for the offence with respect to which the immunity was granted or for any other offence of which he appears to have been guilty in connection with the contravention and shall also become liable to the imposition of any fine or imprisonment or both under this Act to which such person would have been liable, had such immunity not been granted.

Act to have overriding effect:

19. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force.

Application of other laws not barred:

20. The provisions of this Act are in addition to, and not in derogation of, the provisions of any other law for the time being in force.

Transition provisions:

26. (1) Any person shall, on or after the date of commencement of this Act but on or before the expiry of ninety days from the date of commencement, make a declaration in respect of Cryptocurrency in such person's possession and shall dispose of the same within the aforesaid period.

(2) The Central Government may, through rules, prescribe the form and manner of declaration and disposal of such Cryptocurrency, including any matters connected or incidental thereto, as may be required to be declared by such person under this section.

COMPETITION RULEBOOK

1. ADMINISTRATION AND CONDUCT OF THE COMPETITION.

- a) The Bennett University, IV National Moot Court Competition 2022 is administered by the Bennett University National Moot Court Competition Organizing Committee (hereinafter 'Organizing Committee').
- b) There is a limit of 40 teams for the Competition. All 40 Teams will first compete in Memorial Elimination Rounds.
- c) Out of 40 teams, 24 teams will be moving towards the preliminary rounds.
- d) The Competition will be held from the 11th to the 13th of February 2022.
- e) Oral and written submissions shall be in the English language only.
- f) The competition will include memorial knockout round; two preliminary oral rounds; and, advanced rounds, i.e. Quarter-Finals, Semi-Finals and Finals.
- g) *Dress Code*: Participants shall strictly adhere to the following Dress Code: -

Men - Black Formal Coat, White Shirt, Black Tie, Black Formal Pants, White Socks, Black Formal Shoes

Women - (A) Black Formal Coat, White Shirt, Black Tie, Black Formal Pants, Black Formal Shoes

OR

(B) Black Formal Coat, White Shirt, Black Tie, Black Executive Skirt, Black Formal Shoes,

OR

(C) - Black Formal Coat, White Long Kurta, White Salwar, White Dupatta, Black Formal Shoes.

2. ELIGIBILITY

- a) Only regular students enrolled in a five-year integrated undergraduate law programme or three-year graduate law programme are eligible to register for the competition.
- b) Each team shall consist of two speakers and one researcher. Teams are to notify which members are the respective speakers and researcher. No change of speaker to researcher or vice-versa shall be permitted except upon application to the Organizing Committee. The request for change should have concrete

reasons and the decision of the Organizing Committee shall be final. If need be, the Organizing Committee holds the right to disqualify a team upon finding the reason for change to be unjustifiable or unreasonable.

3. REGISTRATION AND FEE

- a) Teams shall register for the competition on or before **23:59 Hours 25th December 2021** by sending an email with the subject 'Registration for Bennett National Moot Court Competition 2022' to **bnmcc@bennett.edu.in** after completing the online registration form.
- b) The registration fee for the competition is Rs. 5,000/- (Rupees Five Thousand Only) per team.
- c) The registration fee must be paid through NEFT payment mode and the scanned copy of the transaction receipt of the same must be sent in the registration email mentioned in clause (a) above. The following are the details of the bank account for payment of the registration fee-

Name of the Bank and Branch	HDFC Bank, Sector Omega I/P2
Account Name	Bennett University
Account Number	50200022532364
IFSC Code	HDFC0002845

- d) A scanned copy of the Bona-fide Certificate of the Head of the Institution/Principal/Head of the Department/Dean certifying the team consisting of the three members are bona fide students of the respective institution is to be uploaded through the online registration form.
- e) Teams will be assigned a team code after registration. All communication thereafter will be through the team codes and teams are not to mention any other details to the Organizing Committee till the completion of the competition.

4. MEMORIALS

- a) Each registered team will submit one memorial on behalf of the petitioners and one memorial on behalf of the respondents.
- b) Soft copies of the memorials must be submitted to **bnmcc@bennett.edu.in**

no later than **23:59 Hours on 12th January 2022** with the subject of the email as **“Memorial Submission - (Team Code)**. The memorial files should be either in .doc, .docx or .pdf formats with the file names as Team code- Party. For e.g.: BU001-PET or BU001-RES.

- c) Each team must submit **four (4)** hard copies of the memorials of each side on or before **January 22nd, 2022** via courier to **Prof. Swarnim Swasti, Plot Nos 8-11, Tech Zone 2, School of Law, Bennett University, Greater Noida Uttar Pradesh, 201310**. Under no circumstances can the content of the hardcopy and softcopy of the memorials differ and observance of the same by the Organizing Committee will result in the disqualification of the team from the competition.

d) Memorial Format-

- a) The memorial shall not exceed 40 pages excluding the cover page.
- b) The colour of the cover page must be Blue in case of petitioners and Red in case of respondents.
- c) The pages of the memorial must be typed on separate A4 size pages (i.e. printed on one side only) and spiral bound.
- d) Formatting of the contents of the memorial:
1. Main Text
 - a. Font Type: Times New Roman
 - b. Font Size: 12
 - c. 1.5 line Spacing
 - d. Margins: 1 inch on each side.
 2. For Footnotes
 - a. Font Type: Times New Roman
 - b. Font Size: 10
 - c. Single (1) line spacing
- e) Teams shall cite authorities in the memorial with footnotes following Bluebook system of citation 20th Edition.
- f) Pages should be numbered at the bottom and spaced in middle of each page of the memorial.

e) Memorial Content

- a) Cover Page
- b) Table of Contents
- c) List of Abbreviations
- d) Index of Authorities/List of References
- e) Statement of Jurisdiction
- f) Statement of Facts (not exceeding 2 pages)
- g) Statement of Issues
- h) Summary of Arguments (not exceeding 3 pages)
- i) Arguments Advanced (not exceeding 25 pages)
- j) Prayer (Not exceeding 1 page)

f) Additional details regarding the memorials-

- a) Teams are strictly prohibited from mentioning their personal details anywhere in the memorial.
- b) After submission of memorials, no revision, supplements or additions shall be allowed.
- c) Teams must strictly adhere to the mentioned structural format.
- d) The Title/Cover page shall include:
 - The Team Code on the upper right-hand corner of the cover page
 - The name and place of the forum
 - The relevant legal provision under which it is filed
 - Name of the parties and their status
 - Memorial Filed on Behalf of Petitioners/Respondents
 - Counsel Appearing on Behalf of Petitioners/Respondents
- e) The criteria for evaluation of memorials for Memorial Elimination Round is as follows-

WRITTEN MEMORIALS		
S. No	Criteria	Marks
1	Knowledge of facts and law	20
2	Extent of legal research	30

3	Proper and articulate analysis	30
4	Grammar and style	10
5	Format and citation techniques	10
	Total	100

- f) For Memorial Elimination Round, the memorials will be corrected by the Law Faculty of School of Law, Bennett University.

g) Results of Memorial Knockout Rounds

- a) The Results of the Memorial Knockout Rounds will be released on **24th January 2022**.
- b) Top 24 Teams who will qualify in the Memorial Knockout round will be communicated via email about the result of the same

5. RESEARCHER'S TEST

Researcher's Test will be held on 11th February 2022. The test will consist of multiple-choice questions based on the moot proposition and relevant legal provisions. Only the researcher in each team is permitted to participate in the Researcher's Test.

6. ORAL ROUNDS

- a) The oral rounds will consist of preliminary rounds (1 & 2) followed by the quarter- final, semi-final and final rounds on a knockout basis.
- b) The petitioners will first submit their arguments, followed by the respondents. Both rebuttals and sur-rebuttals are allowed upon the permission given by the Judges.
- c) The draw of lots for the preliminary rounds and exchange of memorials will be held following the Inauguration Ceremony on 11th February 2022.
- d) Each team will get a total of 30 minutes to present their case during the rounds followed by three minutes per team for a rebuttal or sur-rebuttal.
- e) Rebuttals and sur-rebuttals are limited to issues raised in the

arguments raised during the oral rounds by the opponent teams.

- f) Teams can choose the division of time per speaker at their discretion. However, each speaker must speak for a minimum of twelve minutes.
- g) Oral arguments are limited to issues disclosed in the moot proposition.
- h) Teams may submit a compendium of cases, scholarly articles and papers and statutory provisions to support their arguments during the oral rounds.
- i) Use of any electronic gadget is not permitted during oral rounds.
- j) There will be two preliminary rounds on 5th February 2022 wherein each team shall argue for the petitioners and respondents.
- k) The top eight teams from the preliminary rounds on the basis of preliminary rounds won and combined scores in the said rounds will qualify for the quarter-finals to be held on 12th February 2022. There will be a draw of lots for the quarter-finals after announcing the qualifying teams.
- l) The winner of each round in the quarter-finals will qualify for the semi- finals to be held on 13th February 2022. The draw of lots for the semi-finals will take place following the declaration of results of the quarter-final rounds.
- m) The winner of each round of the semi-finals will qualify for the finals. The winner of the finals will be declared the winner of the competition.
- n) The criteria for the oral arguments is as follows

ORAL ROUNDS		
S. No	Criteria	Marks
1.	Knowledge of facts and law	20
2.	Ability to answer the court's queries	25
3.	Use of authorities	25
4.	Court mannerism	10
5.	Time management	10
6.	Effective rebuttals and sur-rebuttals	10
	Total	100

7. PLAGIARISM AND SCOUTING

Plagiarism and scouting of any manner are strictly prohibited and teams or any member thereof found indulging in the same shall be disqualified from further participating in the competition. The decision of the Organizing Committee concerning deduction of marks based upon the percentage of plagiarism in the memorials will be final. Any memorial with more 70% plagiarism, will result in disqualification of team from the competition. The medium to check the plagiarism will be Turnitin.

The Organizing committee will take the final decision regarding any matter pertaining to scouting.

8. PRIZES AND AWARDS/CRITERIA

Prizes will be awarded in the following categories-

- *Winning Team*- The winning team will be awarded **Rs. 40,000/- (Rupees Forty Thousand Only)** and Trophy
- *Runner-Up Team* - The first runner up will be awarded **Rs. 25,000/- (Rupees Twenty Five Thousand Only)** and Trophy
- *Best Researcher Male and Female* - The best researcher will be awarded **Rs. 5,000 (Rupees Five Thousand Only)** per researcher and Trophies. This award is given to the researcher scoring the highest marks in the Researchers' Test.
- *Best Speaker Male and Female* - The best speaker will be awarded **Rs. 5,000 (Rupees Five Thousand Only)** each and Trophies. This award is given to the speaker scoring the highest points in the preliminary rounds.
- *Best Memorial Plaintiff and Defendant* - The best team will be awarded **Rs. 8,000 (Rupees Eight Thousand Only)** each and Trophies. This award is given to the team scoring the highest combined points for the petitioner and respondent memorials.

9. ANONYMITY

During the oral rounds of the competition teams shall refrain from

disclosing their personal names or the name of their home institution.

10. DISPUTES AND CLARIFICATIONS

- a) Regarding the results of the competition, the decision of the judges and the Organizing Committee will be final.
- b) Any clarifications regarding the problem may be mailed to bnmcc@bennett.edu.in on or before **December 29th, 2021** with the email subject 'Request for Clarifications'. These clarifications will be answered by **January 3rd, 2022** in the form of a clarification note to all the registered teams.
- c) **Grievance Redressal Committee: This committee will preside over any other grievances of the teams participating in the competition.**

11. LOCAL HOSPITALITY

- a) Registered teams will be provided accommodation and meals within the university premises from 11th – 13th February 2022.
- b) Any team which requires to extend their period of stay must necessarily pay additional charges for the extended stay.
- c) Wi-Fi facilities and use of the Law Library will also be permitted during the competition. Teams can report on or after 12 pm on the 11th of February 2022 for the competition.
- d) Teams will have to comply with the University Rules on Discipline during their period of stay and are advised to remain within the campus and use the facilities provided during the said period.

12. QUERIES

Teams can contact the Organizing Committee via email at bnmcc@bennett.edu.in or contact the following student members of the Moot Court Committee: -

A. Anubhav Lamba- +91-9672020110

B. Riya Kharab- +91-9821971002

C. Vijayant Goel- +91-9005955606

D. Tanvi Chopra- +91-9044897343

E. Upasana Chopra- +91-8168314517

13. MODE FOR THE COMPETITION

The IV Bennett National Moot Court Competition will be conducted in offline mode on the campus of Bennett University. However, the mode of conduct is subject to change into online mode if unavoidable conditions are posed by the Pandemic or if new standard operating procedures are issued by the Government.