



ROYAL GLOBAL UNIVERSITY
— GUWAHATI —



RGU NATIONAL **MOOT COURT** COMPETITION, 2024

ORGANISED BY:

Royal School of Law and Administration (RSLA)
The Assam Royal Global University

Date: 23rd - 25th MAY, 2024

(OFFLINE MODE)



About **THE UNIVERSITY**

Royal Global University is one of the leading universities in the North-Eastern part of India, established under section 2(f) of the UGC Act and is included in the list of universities maintained by the University Grants Commission, with the right to confer degrees as per Section 22 of the UGC Act, 1956. Ever since its establishment, the university has acted as a leadership platform that aligns the interests of industries, entrepreneurs and the youth. Royal Global University aims at creating and sustaining an environment whereby employment and entrepreneurship can flourish. With the help of collaborative efforts from its extensive network of influential corporates, individual members and academic institutes, Royal Global University has been able to provide the necessary resources, knowledge and support to create an effective employment and entrepreneurship opportunity. Spread over 30 acres of land along National Highway 37 at Betkuchi, Guwahati. The University stands high with its virtues of excellence and humble contribution to the society at large. The Campus involves centrally air-conditioned areas available for running various courses of Royal Global University(RGU). With experienced faculty from some of the world's leading universities, RGU offers a unique educational experience that prepares the next generation of global citizens to lead and make a difference in the society, comprising of talented and motivated student body that maintains a particular commitment to exceptional undergraduate and post graduate programs, providing them a variety of options. The University at present is proud to offer 130+ Academic Programs under 27 Schools of Studies to more than 6500 Students, with its world-class infrastructure, cultural events, campus recruitment programs, expert faculties and other such activities.





About **THE DEPARTMENT**

The Royal School of Law and Administration (RSLA) is a progressive and dynamic law school situated in the green environment of the campus of Royal Global University at Guwahati, Assam. RSLA is considered to be a community of motivated and knowledgeable people. It lays out an objective of advancing legal education and achieving excellence at imparting value-based knowledge of law to undergraduate and postgraduate students. RSLA is considered to be one of the prestigious schools in the University offering Five Year B.A.LL.B(H) Course, One Year LLM (with specialization) and Ph.D. Established in 2017, RSLA is established under the University Grants Commission and recognized by the Bar Council of India. Its mission is to prepare students as legal professionals through transformative educational experience, to encourage global outlook of the students by providing enriched educational initiatives, to promote research, innovations and entrepreneurship and to inculcate ethical and moral values among the budding lawyers, judges and legal professionals and motivate them to serve the society.



About

THE MOOT COURT COMMITTEE

The Moot Court Committee is the official student body administering the mooting activities with the aim of enriching the high standards of excellence. Mooting is an activity that helps to identify legal issues and to do exhaustive research to put forward the arguments followed by drafting extensive written submission. The Committee is entrusted with the responsibility of conducting and facilitating the students with all the moot related activities. The objective of the committee is to engage the students in the process of mooting and to make arrangements for interactive sessions with experienced litigators to organize various Intra Moot Court Competitions and prepare them for various moot court competitions at the national level and to organize moot workshops, client counseling sessions, etc.





About **THE COMPETITION**

The RGU National Moot Court Competition organized by the Royal School of Law & Administration at Assam Royal Global University is a prestigious event designed to enhance the advocacy and legal skills of participating students. This competition stands as a flagship event for the University, showcasing a commitment to legal education and practical experience in a simulated courtroom environment. The competition typically involves complex legal problems that require participants to engage in in-depth legal research, develop persuasive arguments, and present their cases in a manner akin to real court proceedings. This not only helps in honing their legal skills but also prepares them for real-life legal challenges. Participants from various law schools compete, making it a significant event for networking and showcasing talent on a national platform.





Message from the **VICE CHANCELLOR**

It gives me immense pleasure and happiness to learn that Royal School of Law and Administration, Royal Global University is organizing the RGU National Moot Court Competition which will be held from 23rd to 25th May 2024. As a Vice Chancellor of the university, I wholeheartedly appreciate the colossus efforts made by the Dean, faculty members and students of the School of Law to organize such an event.

This event is one of the most important activity in the academic calendar of the Law school, demonstrating the commitment to develop the next generation of legal experts who are committed to justice and equity. Legal education is not complete without mootng, which offer students a dynamic setting to hone critical abilities including public speaking, legal interpretation, and argumentation.

The RGU National Moot Court Competition brings together Law students from all over India for intense legal discussions centred on current, pressing legal issues. This is not just a competition; it is an opportunity to gain a better knowledge of the law's impact on society and on an individual's life. I encourage all competitors to view this competition as an opportunity to demonstrate their legal knowledge while also enjoy the learning process that comes with mootng. The experience will display the ability of the competitors to argue a case effectively and to develop as a person or a legal practitioner.

My heartiest greetings to the participating students and complements to the entire team of the event for their effort and hard work they have put in to organize the competition and I wish them all success in their endeavours.

Prof. (Dr.) S. P. Singh
Vice Chancellor, RGU



Message from the **CHAIRPERSON ACADEMICS**

Judiciary is of fundamental importance in governance and public life. For the students of Law, it is imperative that they not only acquire the basic concepts and the contexts of Law but also develop the skills of argument with invincible logic and flawless communication. Therefore, it is very important that the students of law are trained in these skills and art of argument and conduct in the court room.

I am very happy that The Royal School of Law and Administration is organizing a National Moot Court Competition from 23rd to 25th May 2024. I am confident that this National Competition shall bring in young budding lawyers from across the country and provide them and all others an exciting learning experience.

I congratulate the Royal School of Law and Administration for organizing this important academic event on the campus and extend my best wishes to all the participants.

Prof. (Dr.) Alak K. Buragohain
Chairperson (Academic), RGU



Message from the **DEAN** **ROYAL SCHOOL OF LAW & ADMINISTRATION**

The Royal School of Law and Administration of RGU has always been in the humble pursuit to excel in the field of Law and Legal education by emphasizing the values of integrity, scholarship and advocacy. We believe in promotion of clinical Legal education directed towards developing the perception, attitude, skills, as well as sense of responsibility of the budding lawyers in upholding the basic elements of professionalism.

This RGU National Moot Court Competition, 2024 stands as a testament through our commitment to nurturing the brightest legal minds of tomorrow. It will bring together Law Schools and students from every corner of our nation providing them with a platform to showcase their talents, knowledge and mastery in Law. With this momentous occasion we take a giant leap forward in fostering excellence and innovation in the field of Law and to transform 'Legal Education' (i.e. vidhi Bidya) into "Justice Education" (i.e. Nyaya Bidya).

We are thrilled to invite your zeal to participate in this National competition and look forward to your positive response to make the event a grand success.

Prof. (Dr.) Bhuban Ch. Baroaah
Dean, RSLA, RGU

COMPETITION RULES

1. SHORT TITLE

1.1 This shall be called the Rules for the RGU National Moot Court Competition, 2024.

2. GENERAL INFORMATION

2.1. The Competition is conducted by Royal School of Law and Administration, the Assam Royal Global University.

2.2. The Competition will be held from 23rd May to 25th May 2024.

2.3. The National Moot Court Competition, 2024 will comprise of the Preliminary Round, Advanced Rounds and Researcher's Test.

2.3.1. PRELIMINARY ROUND

This Round shall involve the participation of all the teams who have registered for the competition. This round will be divided into 2 rounds, of which each team shall argue once as the Petitioner/Appellant and once as the Respondent/Defendant and in view of the oral arguments presented by the speakers of the teams, sixteen teams (may be reduced to eight) shall qualify for the advanced rounds (as per the registration of teams).

2.3.2. ADVANCED ORAL ROUNDS

This Round shall comprise of Round of 16 (as the case may be), Quarter-Final Rounds (Round of 8), Semi-Final Round (4 Teams) and the Final Round (2 Teams).

The Competition shall be directed as per the guidelines referenced hereunder. The Participating Teams are expected to comply with the standards and rules as mentioned.

3. DEFINITION

3.1. “Administrator” will mean the Royal School of Law and Administration, the Assam Royal Global University, Guwahati, Assam.

3.2. “Bench” means the member duly invited to adjudicate the Oral Rounds, Individually or Collectively.

3.3. “Clarification” means the procedural order(s) and/or any explanation(s) published by the organizers concerning a query passed by any participating team in the Competition within the given deadline.

3.4. “Competition” denotes the RGU National Moot Court Competition, 2024 of Royal School of Law and Administration, The Assam Royal Global University, Guwahati, Assam.

3.5. “Draw of Lots” means the match-up between the teams, its members or the Institution/College/University represented by the teams and the state on region where such Institution/College/University is located and includes any identification marks/ seal of the teams.

3.6. “Moot Proposition” means the Moot Problem of the Competition released by the Organizers.

3.7. “Memorial” means the pleadings of each team in the written form.

3.8. “Oral Submissions” means the Oral pleadings before the Bench.

3.9. “Organizers” means the Moot Court Committee of the Royal School of Law and Administration, the Assam Royal Global University, Guwahati, Assam.

3.10. “Penalty” implies the consequence in case a team or any of its participants do not adhere to the rules.

3.11. “Rebuttals” means the challenges put forward by the petitioner in response to the respondent’s submissions.

3.12. “Submissions” means the pleadings both on facts and on law.

3.13. “Participating Institutions” shall be presumed to be the parent Institutions of the participating teams.

3.14. “Participating Teams” means the team which is eligible to participate in the Competition after completion of the registration procedure.

4. GENERAL RULES

4.1. DATES AND VENUE

The RGU, National Moot Court Competition, 2024, shall be held from 23rd to 25th May 2024 at the Assam Royal Global University campus, Betkuchi, Guwahati, Assam (opp. to ISBT, Guwahati).

4.2. TEAMS ELIGIBILITY AND COMPOSITION

a) All students duly enrolled and pursuing a full-time Three Year LL.B Program or a Five Year Integrated B.A.L.L.B Program from an Institution/ College/University duly recognized by the Bar Council of India or an equally competent authority, shall be eligible to participate in the competition.

b) Two teams from the Particular Institution/College/University can register to participate in the competition.

i) Each Team shall comprise a maximum number of 3 members (2 Speaker and 1 researcher), or a minimum number of 2 members (1 speaker and 1 speaker cum researcher).

ii) In case of any misconduct, the organizer reserves the right to decide thereof, which shall be final and binding to the participating teams.

4.3. OFFICIAL LANGUAGE

The Official language for the competition will be English, for written as well as Oral Submission.

4.4. DRESS CODE

Participants shall adhere to the Advocates Attire when present in any court room throughout the conduct of the Competition (Inaugural Ceremony, Oral Rounds, Valedictory Ceremony and Prize Distribution) in the manner provided below.

i) For Men- Formal (White Formal Shirt with Black Formal Trousers, Black Tie, a Black Blazer and Black Formal Shoes); and

ii) For Women- Formals (White Formal Shirt with Black Formal Trousers, Black Tie, a Black Blazer and Black Formal Shoes)

5. REGISTRATION GUIDELINES

5.1. REGISTRATION AND PAYMENT

- A maximum of two teams can register from a single institution.
- Interested teams are required to register for the competition by completing the registration form. Registration shall not be accepted through any other means, other than the registration form given.
- The team must also mention the Whatsapp Number of either the respective committee or the Head/Dean/Faculty-in-Charge of their Institution in the Registration Form. The Deadline for the Registration Form is 15/05/2024.

Prior payment of INR 5000/- (Five Thousand) per team as Registration Fees is required to fill the Registration Form. The Registration Fee shall

- be inclusive of Accommodation and Food.

The Confirmation of Registration for the Competition will be notified to the teams by the organizers after the completion and clarification of

- all the Registration formalities.

Thereafter, the teams will be provided with a Team-Code. At any stage of the Competition, Non-Compliance with this rule shall lead to severe

- penalty or disqualification as determined by the organizers.

The Registration Form shall indicate the member, who shall be an official point of contact for the Organizers and such person shall be

- responsible for all official communication between the Organizers and the Participating Teams.

The attachments of the Registration Form shall contain the following: Scanned copy of the Screenshot of the Receipt generated on

- completion of the electronic transfer of Registration Fees showing successful transfer of the beneficiary.

If a team notifies the organizers of its withdrawal or absence from participation in the Competition, such team shall not be entitled to

- the refund of the registration fees or any amount which has been paid in the registration process.

Submission of incomplete Forms and/or Registration via Email will not amount to successful registration and shall not be considered. In any

- such event, the decision of the Organizers regarding the mode of submissions in such cases shall be final.

5.2. REGISTRATION FEES PAYMENT

- All the teams shall be required to make a payment of INR 5000/-via Bank Transfer on or before 15/05/2024 by 12 midnight to register for the Competition.

5.3. TEAM CODE ALLOCATION

- After successful Registration, Each Team shall be allotted a Team Code, which shall be communicated to them via E-mail of the points of Contact.
- Teams are required to use their Team Code in their Memorials and Oral Submissions to identify themselves.
- Revealing Personal Identification details in the Written or Oral Submissions shall be penalized.

6. CLARIFICATION

6.1. The Teams seeking Clarification regarding the Moot Problem shall send in their Queries through the E-mail rgunationalmootcourt@rgu.ac on or before 17/05/2024. The subject of the clarification E-mail must be "seeking clarification" RGU Moot Court Competition, 2024.

6.2. No request for any Clarification shall be entertained post this deadline unless the Organizers deems it's appropriate to address any such query.

6.3. All Clarifications will be released by 18/05/2024 and shall be released via E-mail for the perusal of all Teams.

6.4. In case of any Delay or changes in the responses to the clarifications, the Organizers shall inform the Team Member who is the official point of Contact.

6.5. No Queries regarding the Moot Problem shall be addressed by any organizer Member or Student Volunteer personally.

7. MOOT MEMORIAL AND MARKING EVALUATION

7.1. STRICT ADHERENCE TO THE RULES:

The Teams are expected to strictly adhere to the Rules regarding the submission of Memorial. Non-Adherence to the same will attract penalties as provided under the Rules.

7.2. Memorial to be Submitted from both sides; Each Team must prepare Memorials for both sides of the dispute (Petitioner/Respondent).

7.2.1. GENERAL CONDITION FOR MEMORIAL

- The Memorial shall not contain any form of Identification apart from the Team Code. If any such Identifications or Mark, Symbols, etc. which has the effect of identifying the team is found on the Memorial, it shall result in instant disqualification of the Participating Team.

7.2.2. SPECIFIC GUIDELINES FOR MEMORIAL SUBMISSION

- The Memorial has to be submitted in both Soft and Hard Copy.
- The Teams shall submit the Soft Copy of the Memorial in “PDF” form only on or before 21/05/2024 by 12.00 Midnight IST via E-mail address: rgunationamootcourt@rgu.ac.
- Each Team must send 2 (two) separate PDF file attachments, one attachment containing the written submission from each side.
- The name of the memorial should be according to the Team code and the side for which the written submission is prepared. The Team Code must be ascribed on the top right corner of the Cover Page and succeeded by the first letter of the side for which the memorial is prepared in the format Team Code followed by first letter of the side (P/R). Eg. TC01P/TC01R. The same format should be used in renaming the soft copies to be sent via E-mail.
- The Teams appearing for Oral Round must submit 5 (Five) Hard Copies of Memorial i.e. 5 Hard Copies of the Memorial each side at the time of reporting at the venue of the competition. Stapling is enough for binding each hard copy.
- Registration for the oral rounds shall be deemed complete only on submission of the 5 Hard Copies of the Memorial on 23/05/2024, at the Competition venue by 09:30 am.

8. GUIDELINES FOR FORMATTING

8.1. MEMORIAL STRUCTURE

Memorial shall contain the following contents in the order stated below:

a) Cover Page: The Cover Page must be BLUE for Appellant and RED for Respondent. A Penalty of 1 Mark per side shall be levied in case the team uses the wrong cover page in the 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.
- The name of the “FORUM” resolving the Dispute.

(b) List of Abbreviations

(c) Index of Authorities

(d) Statement of Jurisdiction

(e) **Statement of Facts** – It must contain legitimate inferences pertaining to the relevant facts to the dispute (shall not exceed two page).

(f) Issues Raised

(g) Summary of Arguments

(h) Advanced Arguments/Written Pleadings

(i) Prayer (shall not exceed one page).

8.2. TEAM CODE

The Team Code must be ascribed to the Top Right Corner of the Cover Page.

8.3 Arguments Advanced/Written Pleadings should be limited to 15 pages strictly.

8.4. Margin

Equal Margin of 1(one) inch on all sides.

8.5. Basic Compliance for Memorials

The Memorial shall adhere to the following mandatory specifications:

- (a) Paper Size- A4
- (b) Font Style- Times New Roman
- (c) Font Size- 12
- (d) Line Spacing- 1.5
- (e) Text Alignment- Justified
- (f) Footnotes- Times New Roman, Size 10, Line Spacing- 1.0,
- (g) Paragraph Spacing- 0, Text- Justified, with a uniform style of citation (ILI) to be followed throughout the memorial.

8.6. PLAGIARISM

The written submission in the memorial will be checked for plagiarism. Participants should not utilize the same language or replicate from other different sources. The use of open-access data should be accompanied by appropriate references. These Guidelines will apply to all the pieces of memorials and in addition to the Arguing and Supplication. In case of any inconsistency, the Organizing committee in discussion with the Mooting Judges will take the ultimate decision.

9. EVALUATION OF MEMORIALS

The Memorials shall be judged under the following criteria:

Sl No.	MARKING CRITERIA	MARKS
1	EVIDENCE OF ORIGINAL THOUGHT	20
2	KNOWLEDGE OF LAW AND FACTS	20
3	STRUCTURE, LANGUAGE AND GRAMMAR	15
4	PROPER AND ARTICULATED ANALYSIS	20
5	CORRECT FORMAT AND CITATIONS	10
6	EXTENT AND USE OF RESEARCH	15
	TOTAL	100

Note:- The Memorials shall be judged on the basis of the soft copy submissions submitted by the Participating Teams.

10. EXCHANGE OF MEMORIALS

10.1. The Exchange of Memorials will take place on 23/05/2024, at the venue. The Memorial Exchange for the Advanced Rounds of the Competition shall take place prior to the commencement of the Advanced Round (Quarter-Finals, Semi-Finals and Finals) wherein the hard copies of the respective memorial shall be provided.

10.2. Teams are prohibited from making any remarks on the opponent's memorial i.e; the exchanged memorial. Teams are also prohibited from making any copies of the opponent's memorial electronically or otherwise.

11. RESEARCHER'S TEST

11.1. Researcher's Test for the competition will be conducted on 23/05/2024.

11.2. The Test will comprise of 100 Marks. It is mandatory for the Researcher of each participating team to take the Researcher's Test. Non-Participation shall be awarded with 0 (Zero) Marks which will affect the eventual score of the team.

12. ORAL SUBMISSION

12.1. Format and Language:

The Oral Rounds will be conducted offline on 24/5/2024 and the medium of language for the oral submission will be English.

12.2. Team Composition:

Each Team will consist of two speakers who will divide the oral submissions between themselves.

12.3. Anonymity:

Speakers must not reveal their identities at any point during the competition.

12.4. Time Management

12.4.1. Before each round, teams must inform the court room officer of the division of time between the two speakers and the time reserved for rebuttals.

12.4.2. Warning Bells will sound 5 Minutes and 2 Minutes prior to the end of each speaker's allocated time, with a final bell marking the end of their time.

12.4.3. Speakers who exceed their allocated time may face negative marking at the discretion of the Judge.

12.5. Judge's Discretion:

Judges have the authority to grant opportunities for rebuttals or sur-rebuttals and allocate additional time as they deem fit.

12.6. Restrictions during Oral Submissions:

12.6.1. Participants cannot submit materials containing pictorial representations, audio or visual representations, or use online search engines during their submissions.

12.6.2. Any use of prohibited materials found, will result in disqualification.

12.7. Best Speaker Award:

The Best Speaker Award will be determined based on the individual aggregate score of the speaker comprising all the rounds.

13. EVALUATION OF ORAL SUBMISSION

The Best Speaker Award will be determined based on the individual aggregate score of the speaker comprising all the rounds.

Sl No.	CRITERIA	MARKS
1	KNOWLEDGE OF LAW	20
2	ART OF PERSUASION	20
3	ANALYSIS AND AUTHORITIES CITED	20
4	RESPONSE TO JUDGE'S QUESTIONS	20
5	COURT ETIQUETTES	20
TOTAL		100

14. PENALTIES

The Penalties will be applicable based on the following conditions:

Sl No.	CONDITIONS FOR PENALTIES	PENALTIES IMPOSED
1	LATE SUBMISSION	2 MARKS PER MEMORIAL EVERY 12 HOURS AFTER DEADLINE.
2	WRONG FILE NAME	1 MARK PER MEMORIAL
3	FAILURE TO SUBMIT MEMORIAL AS ONE FILE	1 MARK PER MEMORIAL
4	EXCEEDING PAGE LIMIT	1 MARK PER MEMORIAL
5	FAILURE TO INCLUDE THE SECTIONS IN THE MEMORIAL	3 MARKS PER SECTION
6	FAILURE TO INCLUDE THE REQUIRED INFORMATION IN THE COVER PAGE	1 MARK PER WORD
7	FAILURE TO USE COLOR CODING	2 MARK PER MEMORIAL

15. MISCELLANEOUS

- 15.1. The organizers reserve the right to alter, amend or add to the Rules.
- 15.2. Scouting is strictly prohibited. Scouting by any team shall entail disqualification.
- 15.3. Teams are expected to appear in a dignified manner throughout the competition.
- 15.4. In case of any doubts and grievances, the organizers shall act as the final arbitrators.
- 15.5. Any decision made by the organizers shall be final and binding on all the teams.

16. ACCOMMODATION AND FOOD

- 16.1. Accommodation shall be provided by the Organizers to the designated category of Participants of each team for the three nights and three days of the competition i.e; from 22nd May 2024 afternoon to 25th May 2024 evening. Any changes in the rule will be duly notified. independent accommodation will be made available.

- 16.2. Accommodation shall be provided on a sharing basis and no independent accommodation will be made available.
- 16.3. All facilities shall be provided only to the registered members of a team and no additional members, parents, observers, coaches, etc. shall be accommodated at any cost.
- 16.4. The organizers shall arrange Breakfast, Lunch and Dinner only for three days of the competition i.e; 23rd May to 25th May 2024 for all participants, as applicable.
- 16.5. A Faculty in charge accompanying a team is a mandatory requirement.
- 16.6. Accommodation will be provided to the three members of a team along with the faculty in charge of the team.

17. IMPORTANT DATES

Sl No.	EVENTS	PENALTIES IMPOSED
1	NOTIFICATION OF THE COMPETITION	2/05/2024
2	LAST DATE OF REGISTRATION	15/05/2024
3	LAST DATE FOR SEEKING CLARIFICATIONS	17/05/2024
4	RELEASE OF CLARIFICATIONS	18/05/2024
5	LAST DATE FOR SUBMISSION OF SOFT COPY OF THE MEMORIALS	21/05/2024
6	INAUGURATION OF THE COMPETITION	23/05/2024
7	DATE FOR THE EXCHANGE OF THE MEMORIALS FOR PRELIMINARY ROUND	23/05/2024
8	RESEARCHER'S TEST	23/05/2024
9	PRELIMINARY ROUNDS	24/5/2024
10	QUARTER FINAL ROUNDS	24/05/2024
11	SEMI FINAL ROUNDS	25/05/2024
12	FINAL ROUNDS AND VALEDICTORY CEREMON	25/05/2024

18. RESULTS

The Winners shall be announced on the same day of the Final Round. The decision of the Judges on the performance of the Participants shall be final and binding on all the participants.

Team Awards:

WINNERS: Rs. 50,000/-

RUNNERS UP: Rs. 35,000/-

BEST MEMORIAL (PETITIONER/APPELLANT): Rs. 4,000/-

BEST MEMORIAL (RESPONDENT/DEFENDANT): Rs. 4,000/-

BEST SPEAKER: Rs.10,000/-

BEST RESEARCHER: Rs. 5,000/-

Certificate of participation shall be provided to all the team members.

Certificate of merit shall be provided to all the winners.

19. REGISTRATION

Registration Fees: Rs 5000/

Payment Details:



**Scan the QR code
for Registration**



**Scan the QR code
for Payment Details**

*Submit the proof of Payment via the Google form for registration.

MOOT PROBLEM

1. 'Industan' is a country in the South-East Asian region which shares international boundaries with 5 other super power nations and is heading towards becoming a global super power in international trade and commerce and also towards becoming a tech-giant nation.
2. The country of Industan saw a recent boost in its digital framework and digital banking facilities with the introduction of a new telecom network provider known as 'Livo' which started offering free 5G internet to all citizens during its launch trial phase from 1st January, 2023 to 31st December, 2023.
3. Using advantage of this free service facility to use 5G internet, the entire nation witnessed a wave of new connections and it became very popular amongst the youth as connectivity became fast and cheap.
4. The Ministry of Communications, Industan saw an unprecedented rise in online data traffic and the rise of popular social media platforms for entertainment and earning purposes by content creators and other digital influencers.
5. 'Arunav' a student of Btech, in a private university 'FIIT' situated in the state of 'Artharashtra' also availed a 5G connection from Livo and started using various social media platforms and other web based entertainment channels for his educational and entertainment purposes.
6. On the other hand simultaneously Mr. Ashish Grover an alumnus of the same university became very famous in the business world of investment and marketing by his rhetoric's and witty one-liners in a famous TV show Dolphin Tank.
7. Mr. Ashish Grover soon became a celebrated business icon and started appearing in television and podcasts to share his ideas about business investments and guiding startup ventures. Within a very short span of time Mr. Ashish Grover reached the status of a business model influencer and along with some of his partners he developed a Fantasy app known as 'Basketball-7'
8. Basketball-7 was an online betting app designed as an app which requires intellectual abilities and mathematical calculations to win against other players online and thus it got removed from the ambit of gambling apps and was registered as a reward based mathematical game (ex – chess).
9. Any user of the online app Basketball-7 needs to have great understanding of the game and accurate predications based on the live performance of real time players and thus needs good research and skills to win profits.

10. Arunav a student of FIIT downloaded the online application from play-store and registered himself as a user by giving due consent and accepting all the terms and conditions of the game and also accepting the guidelines that he understands the risks of using the application and that real money is involved in playing the game.

11. In the month of January, 2024 the most awaited and celebrated sports festival of the country Basketball Premier League started and the same was live streamed over Livo network for free of cost and easily accessible to all.

12. Arunav started watching the daily matches of BPL in his smart-phone and his predictions started coming true in the initial matches. He soon assumed that he has mastered the art of analyzing the outcome of the various matches scheduled and could easily earn an extra income by means of betting online through the app Basketball-7.

13. Meanwhile the parents of Arunav sent him Rs. 1,20,000/- (Rupees One Lakh Twenty Thousand) as his semester fee's as his exams were approaching near and wanted him to study well and create a good reputation for the family.

14. Arunav after receiving the said amount decided to invest it all in the gaming app and earn a double profit so that he can pay his semester fee's and also have enough money to party with his friends as he was sure of the fact that he was capable of making correct predictions and could easily win huge profits from the game.

15. Accordingly on 4th of February, 2024 Arunav spent Rs. 1,00,000/- (Rupees One Lakh) to purchase a token to bet online and thus picked a side which he was sure will win the match that night, but unfortunately all his predictions went wrong and his team lost the match by great difference and he was devastated with shock after the loss.

16. Unable to face the trauma of loss and unable to share the incident with his family or friends, Arunav decided to end his life as he was unable to face his parents after gambling off the hard earned money of his parents. Arunav finally took the hard step and on the midnight of 4th of February, 2024 he jumped from the window of his hostel room and ended his life.

17. On receiving the information of suicide by a student of FIIT, the police immediately jumped into action and started investigating the matter and a team of forensic experts and high rank police officials reached the campus hostel premises on the same night.

18. The police found no traces of any fight or tussle as his room was locked from inside and his window panes were broken. Unable to find any suicide note or any evidence of murder the police searched his room and seized his mobile phone, laptop, personal diary and some books regarding basketball.

19. During investigation, it came to light that the student had registered himself with the online fantasy gaming app Basketball-7 and has suffered loss when his prediction went wrong and thus unable to withstand the financial loss he took the hard step. Immediately an uproar started in the media and amongst various public spirited NGO's and other social welfare organisations demanding to ban such apps and demanding proper investigation and prove into the matter to punish the guilty.

20. The police immediately registered a suomoto FIR, registered as PS-UD-08-2024 against 'unknown' persons and started detailed investigation. During investigation some shocking details came to light which shook the business environment of the entire nation.

21. The police during investigation found out that the owners of the gaming app Basketball-7 had registered a company by the name 'Games World' as per the mandates of the Company law and had a registered office in the state of Kumbai, and were operating many such mobile based applications across the country under different names and luring innocent youths to register for the same and face heavy financial losses.

22. Furthermore it came as a surprise to all when during investigation it was found that the team of Ashish Grover and his partners were involved in large scale money laundering schemes and was stashing cash outside the country to facilitate various scams and corruption in the country.

23. A long list of politicians and bureaucrats were also unearthed who were associated with this financial fraud and money laundering allegations attracting huge attention from the government as well as the media.

24. The Enforcement Directorate of the Country subsequently registered a suomoto case against the owners of the fantasy app Basketball-7 and arrested them on 14th February, 2024.

25. However, the Enforcement Directorate was unable to make progress in the case as all the communications between the partners of Basketball-7 app happened online via 'LetsChat' app and the app had a distinct end-to-end encryption facility which made it impossible for the Enforcement Directorate to investigate the case without obtaining the communication made between them and the group chats which included participants from other countries as well.

26. Again, to another surprise the Ministry of Electronics and Information Technology, issued a notification declaring modifications in the existing IT Rules of the country by adding another new list of rules and regulations which includes –

a. That, the Government shall be granted with exclusive tools by the tech-companies/app owners to control the option of encryption and allow the target chat i.e. text messages to be read/opened/obtained/retained by the government for the purpose of investigation in crimes which involve international monetary transactions and also to monitor and control such activities from happening in the future.

b. That, the Government shall be granted with the exclusive right to ban/ stop any application from operating in the country without giving any prior notice and can also put the said apps in the category of gambling/ betting apps.

27. The Enforcement Directorate using the advantage of the notification sent notice to the tech-giant, Lets-chat demanding them to de-encrypt the personal chats of Ashish Grover or else the ED shall be compelled to ask the Central Government to stop the functioning of the app in the country at large. The founder/owners of Lets-chat immediately filed a Writ Petition before the Artharashtra High Court praying for stay with regards to the said notice claiming that the notice was in violation of their fundament right to carry on business and also violated the right to privacy of the citizens.

28. The Artharashtra High Court did not give any relief and held that the Government and the ED were very much correct in exercising their powers for the greater interest and security of the state and thus the High Court shall not interfere with the notice of the Enforcement Directorate.

29. On the other hand, Ashish Grover and his two partners applied for bail before the High Court of Artharashtra on the grounds that they had no connection whatsoever with the suicide of the student and also that nothing was found against them which could link their connection to illegal fund transfer to any country outside Industan and thus they should be granted the liberty to face investigation after being enlarged on bail. Accordingly the High Court of Artharashtra granted bail to Ashish Grover and his two partners.

30. Immediately after getting the bail, Ashish Grover preferred a Writ Petition challenging the validity of the Prevention of Money & Gold Laundering Act, 2004 before the Artharashtra High Court which disposed of the Petition without looking into the question of 'presumption of innocence' and that whether the Enforcement Directorate was correct in not providing any information regarding the Enforcement Case Information Report (ECIR) to the accused persons when they were arrested and if this was against the principle of natural justice.

31. Thus, aggrieved by the order of the High Court, Ashish Grover and other preferred a Special Leave Petition before the Supreme Court of Industan on the same issues.

32. Simultaneously, the founder/owner of LetsChat through its registered office in Industan filed a SLP before the Supreme Court challenging the IT rules as arbitrary and clearly violates the right to privacy of its users as well as that the Government should not be given absolute power to declare the genre of an app and ban them over allegations of being gambling/betting apps.

33. The Hon'ble Supreme Court of Industan clubbed both the Petition's together and fixed for final hearing for determination of the following issues :

i) Whether the Special Leave Petition is maintainable before the Hon'ble Court?

ii) Whether the presumption of guilt in matters relating to Prevention of Money & Gold laundering Act constitutional?

iii) Whether the denial of ED to furnish a copy of the ECIR to the accused persons constitutionally valid?

iv) Whether the order of the Central Government to tech companies to provide exclusive tools for encryption and decryption of private chats of individuals in the interest of security and integrity of the nation constitutionally valid?

Please note: Issues are not exhaustive in nature and can be formulated independent of the abovementioned issues which are subject to modification.

CAVEATS:

i. Frame your questions of law only around: Maintainability of the SLP's and the Constitutional validity of the principles of the legislations and not upon the charges framed.

ii. Any reference to any real-life incident involving any religious or business community and/or denomination, and/or political/social/religious organization is strictly prohibited.

Disclaimer: The Moot Problem is a work of fiction and has no corresponding similarity with any real life event, person, group and incident; any such similarity is merely coincidental. The moot problem has been drafted in good faith.

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