



**MADHUSUDAN LAW UNIVERSITY**  
**STATION ROAD, CUTTACK-753003**

No. MLU/ 2429/2023

Date: 05/10/2023

**NOTICE**

This is for information to all the students of 3 Years LLB, 5 Years B.A.LLB (H) and LLM that the Moot Court Committee of Madhusudan Law University is going to organize 1<sup>st</sup> MLU Intra Moot Court Competition, 2023 from 09.11.2023 to 11.11.2023 in the university premises. Interested students may apply through the procedure contained in the brochure. The brochure and the moot proposition are attached herein for the reference.

*H. Mishra*  
05/10/23  
Chairperson  
Moot Court Committee

Memo No. MLU/ 2430<sup>(6)</sup>/2023

Date: 05/10/2023

Copy to: -

1. Notice Board/Website
2. Academic Section
3. DSW
4. Chairman, P.G.Council
5. PA to Registrar
6. PS to the Hon'ble Vice-Chancellor for kind information

*H. Mishra*  
05/10/23  
Chairperson  
Moot Court Committee



**MADHUSUDAN LAW UNIVERSITY, CUTTACK-ODISHA**

**STATE UNIVERSITY ESTABLISHED UNDER THE ODISHA UNIVERSITIES ACT, 1989**

# **1ST MLU INTRA MOOT COURT COMPETITION - 2023**



*Organized By-*

**MOOT COURT COMMITTEE,  
MADHUSUDAN LAW UNIVERSITY, ODISHA**

**2ND NOVEMBER - 4TH NOVEMBER**

**2023**



# MCC BROCHURE

## CONTENTS

1. THE MCC RULES & PROCEDURE, 2023
2. THE TIMELINE
3. THE REGISTRATION

### MCC RULES & PROCEDURE, 2023

#### A. TEAM COMPOSITION

1. Each team shall consist of three members, comprising of two speakers and one researcher.
2. Students willing to participate can form team within their year or they can form teams consisting of members from different years as well. MCC shall bear no responsibility for any discrepancy or team formation.
3. Any alteration in the names of the team members shall be informed through e-mail before last date of registration i.e. 10/10/2023 at mail id.

However any such alteration shall be permitted only once.

#### B. PARTICIPATION AND REGISTRATION PROCEDURE

1. Interested teams should register themselves through the attached google form on or before 10/10/2023
2. The Top 10 participants shall be allotted the National Moot Court Competitions.
3. Memorial submission is mandatory in order to appear for the oral rounds.
4. For further information of dates please refer to the Timeline attached.
5. Participants are directed not to approach faculty members of MLU, for consultation purpose. Violation of this rule would lead to disqualification.

#### C. MEMORIAL SUBMISSION GUIDELINES

The following guidelines for the memorials must be strictly followed. Non-compliance will entail penalties as provided below:

1. Teams have to prepare memorials for both the Appellant and the Respondent.
2. Teams shall submit soft copy at ([mootcourtcommitte@mlu.ac.in](mailto:mootcourtcommitte@mlu.ac.in)) and 3( three) hard copies of the memorials for each side (Appellant & Respondent) (Total 3 X 2 =06 Memorials) on or before: 30/10/2023 to the MCC member Mr. Bhanu Pratap Singh in person during working hours of the University.
3. The memorials have to be submitted on A4 size paper, printed on only one side, and must contain the following sections.





I. COVER PAGE; ( click here for reference - [MOOT COURT COVER PAGE.pdf](#))

II. TABLE OF CONTENTS;

III. INDEX OF AUTHORITIES;

IV. STATEMENT OF JURISDICTION;

V. STATEMENT OF FACTS;

VI. STATEMENT OF ISSUES;

VII. STATEMENT OF ARGUMENTS;

VIII. ARGUMENTS ADVANCED;

IX. PRAYER FOR RELIEF.

4. The memorials must be printed in Times New Roman 12 font size with 1.5 line spacing. The footnotes must be in Times New Roman 10 font size with 1.0 spacing and should contain the 'Team Code' on cover page. (Top-Right Corner)

5. The arguments advanced should not exceed 15 pages.

6. The memorials as a whole should not exceed 25 pages including the cover page.

7. The memorials should be covered with a spiral binding.

8. The memorials should have a margin measuring one inch on all sides of each page. (normal spacing)

9. The page numbering should be on the bottom of each page.

10. The Appellant's memorial cover page shall be printed on Blue Colour A4 size paper, and Respondent's memorial cover page on Red Colour A4 size paper.

11. The teams have to use the latest edition of Blue Book for citation format throughout the memorial.

12. Footnotes shall contain only the citations. There shall be no speaking footnotes in the memorial.

13. The maximum scores for the memorial shall be 100 marks. The memorials shall be evaluated on the following criteria and any non-compliance with above criteria shall result in penalty of 2 marks per missing section.

#### PARTICULARS OF MARKS

1. Knowledge of Law and Facts 30 Marks

2. Proper and articulate analysis 20 Marks

3. Extent and use of Research 20 Marks





4. Clarity and Organization 20 Marks

5. Grammar and Style 10 Marks

**TOTAL: 100 Marks.**

#### **D. PRELIMINARY ROUNDS**

1. Each team will get a total of 15 minutes to present their case. This time will include rebuttal and sur-rebuttal. Rebuttal is allowed at the discretion of the judges. Any time exceeding the allotted time shall be penalized. The penalty shall be of 1 marks for every two minutes exceeded. However extension of time is permissible at the discretion of the judges.
2. There shall be two oral rounds per team, presenting both appellant and respondent. (only in preliminary rounds).
3. The division of time per speaker is left for the discretion of the team subject to a minimum of 5 minutes per speaker.
4. The oral argument should be confined to the issues presented in memorial.
6. Passing of notes/chits to the speaker is allowed only by the researcher.
7. The participants shall be mandatorily abide by the dress code as per prescribed by the Bar Council of India.
8. Strict Adherence to Court Manners shall be observed by all the participants.
9. Maximum scores for the oral rounds shall be 100 points per speaker.

#### **E.FINALITY OF DECISION**

The decision of the judges with regard to the outcome of the rounds shall be final.

#### **F.CLARIFICATIONS**

All clarifications regarding the Moot Problem should be sent to [mootcourtcommitte@mlu.ac.in](mailto:mootcourtcommitte@mlu.ac.in) .No questions/clarifications over phone/ any means other than e-mail shall be entertained.

#### **G.AWARDS**

1. Best team- Winner
2. 1st Runners Up
3. 2nd Runners Up
4. Best Speaker
5. Best Researcher
6. Best Memorial





*\*All the participants would be provided with certificate of participation.*

### THE TIMELINE OF THE COMPETITION:

#### DATES –

1. Disclosure of Moot Court Proposition and Registration starts on	05/10/2023
2. Intimation Team Code Allotment	12/10/2023
3. Memorial Submission (Both Sides) - By	30/10/2023
4. Preliminary Rounds	09/11/2023
5. Declaration of Result	11/11/2023
6. Award Function & Prize Distribution	11/11/2023

#Disclaimer: The MCC, hereby reserves the right to add/modify/alter/repeal any of the above mentioned rules, dates and time with notification to the same effect.

ORGANIZING COMMITTEE (All Communications are to be addressed to the below mentioned official e-mail id.)

Email Id: [mootcourtcommitte@mlu.ac.in](mailto:mootcourtcommitte@mlu.ac.in)

REGISTRATION FORM (TO BE FILLED IN CAPS)-

Google link - <https://forms.gle/emVgUHcFrSF5HM7N8>

#### CONTACT DETAILS-

#### MOOT COURT COMMITTEE MEMBERS

Ms. TEJASWINI TRIPATHY	( Faculty- Coordinator)	9937296764
Ms. ADYASHA BEHERA	( Faculty- Coordinator)	8249290283
Mr. BHANU PRATAP SINGH	( Faculty- Coordinator)	9040403706
Mr. SATYAJIT PATTANAIK	( Faculty- Coordinator)	9438304080
Ms. ANANYA ROUSTRAY	( Faculty- Coordinator)	7352817161
Ms. LOVLINA SAHOO	( Faculty- Coordinator)	9776093523

*Dr .Nidhi Chauhan*  
Member

*Ms. Hiranmayee Mishra*  
Chairperson





# MADHUSUDAN LAW UNIVERSITY

## STATION ROAD, CUTTACK-753003

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### MOOT PROPOSITION FOR 1st MLU INTRA MOOT COURT COMPETITION

1. In the country called "Republic of Indus", there is a state called "Satyampur". In 1949, a significant historical event unfolded as this state merged with the Republic of Indus. This merger had a lasting impact on the demographics and social dynamics of the state, leading to a division of Satyampur into two distinct regions where lived for two centuries, two mixed indigenous and religious minority communities called "Tejus" and "Adus". It survived by small-scale agriculture, fishing, hunting and handicrafts. Its people were noticeable darker and shorter than the majority of the Republic of Indus population.
2. The community practiced a mix of different beliefs, bringing together indigenous, Muslim, Hindu, and Buddhist practices. It did not identify with any one religion or leader and used to be largely egalitarian in its practices. Archum Valley region constituted a mere 10% of Satyampur total landmass, but it was home to a majority of the state's population, specifically the "Tejus" community, which accounted for a substantial 57% of the population. Archum Valley was the heart of the state, and the Tejus community dominated this area.
3. Contrasting the densely populated Archum Valley, this vast region comprised 90% of Satyampur's landmass. It was predominantly inhabited by members of the "Adus" tribal community, making up 47% of the state's population. The Surrounding Hills Area was characterized by its rugged terrain and unique cultural diversity.
4. In 2012, the members of Tejus community started demanding "Scheduled Tribe" status on the ground that prior to the merger of State of Satyampur, they were identified as "other backward class". During pendency of such a claim by the members of the Tejus community, they witnessed a flood of tribal refugees from another country called Union of Ahomaa who started to settled themselves in the villages situated in reserved forests, protected forests and wildlife sanctuary of "Surrounding Hills Area". Such a incident gave rise the feelings of insecurity between the members of Tejus community.

5. On April 14, 2023, the High Court of Satyampur issued a significant directive to the state government. This directive mandated the state government to submit a recommendation to the Central Government, urging the inclusion of members of the tejus community into the Scheduled Tribe status. This move was seen as a notable development, potentially paving the way for the Tejus community to receive Scheduled Tribe recognition, which can entail various benefits and protections. Furthermore, alongside this directive, the State Government took proactive steps to address another crucial issue. They initiated a comprehensive survey aimed at identifying instances of land encroachment within the reserved forests, protected forests, and wildlife sanctuaries located in the "Surrounding Hills Area." This survey sought to assess and address the encroachment of tribal land within these ecologically and culturally significant regions, acknowledging the need to protect the rights and territories of tribal communities residing in these areas.

6. Expressing their deep frustration and anger over the ongoing situations, members of tribal groups took drastic action on April 27, 2023. They resorted to setting fire to an open gym that had been scheduled for inauguration by the Chief Minister of Satyampur on April 28, 2023. In response to this incident and in an effort to maintain public order and security, authorities imposed Section 144 of the Criminal Procedure Code (Cr.P.C) across the state. Violence erupted once more when members of tribal communities encountered a "counter-blockade" initiated by members of the "Tejus" community while they were returning from a protest organized by the "All Tribal Students Union of Satyampur" on May 3, 2023.

7. On 5<sup>th</sup> may 2023, a visual appeared in the media on the previous day depicting the perpetration of sexual assault and violence on women in Satyampur. Three women being paraded naked on the high way road of Satyampur.

8. On 4th may 2023, two Adus tribal women, one Mandira, a mother of two and Sukhoi a single daughter of her parents ventured to Archum valley with the intent of fetching water from the valley's pond, but to the distress of their families, they did not return home that evening. Adding to the concern, a 16-year-old girl named Tridevi had also gone missing on the same day.

9. As Tridevi's father initiated a search for his daughter, a neighbor named Sahera disclosed crucial information. Sahera revealed that she had witnessed Tridevi leaving with her brother's friend, Aron, early in the morning. Aron, a member of the Tejus tribal community, was the last person seen with Tridevi before her disappearance. This revelation deepened the mystery



surrounding the three missing individuals and heightened the urgency of the situation. Later on Tridevi's father registered an FIR in the Archum valley police station.

10. On 5<sup>th</sup> of September, after the above mentioned video got viral, police started making a search for Tridevi on the basis of Tridevi's father's FIR. While searching he found two dead bodies in the canal of Archumpur. Police sent the bodies for identification and post mortem. Postmortem report revealed the cause of the death is due to antemortem injury. The women were gang raped and cut on throat with some sharp object. The body identified were of Mandira's and Sukhoi's. Police later on found out another complaint made by Sukhoi's parents in Tuhirbad district, a district nearby Archumpur.

11. On 10<sup>th</sup> of September, police found Tridevi in an abandoned cow shade. They rescued her and sent for medical examination. Police took the statement Sahera, the sole witness to see Tridevi with Aron u/s 161 of CrPC.

12. After getting the statement of Tridevi u/s 161 police found that, on 4<sup>th</sup> of September Tridevi was invited by Aron, her brother's friend and her paramour to a nearby local fair. However instead of getting her to the fair, he took her to an abandoned rice mill in the backyard of one Sahid, Aron's friend where she saw the two other women Mandira and Sukhoi. There those three women were gang raped by Aron and his 3 other friends named Mehsud, Sahid and Pulan. 4 men were guarding the rice mill while these things were happening. After raping the women they paraded those three on the high way and recorded them with mobile camera. One Mehsud cut the throat of Mandira, while seeing that Tridevi got uncontrolled and managed to get out of their hold and has been hiding in that shade till now.

13. Police arrested 8 people along with Aron on the basis of Tridevi's father's FIR. During this investigation police also found out that another complaint has been made to Tuhirbad station, a nearby police station of Archumpur by Sukhoi's parents for the disappearance of their daughter but no FIR had been registered. After arrest, one Mehsud confessed killing Mandira and Sukhoi with a saw because of his hatred towards "Adus" community. The police also discovered the saw buried under one of the windows of the rice mill with the confession of Mehsud. Mehsud himself went with police and showed the place where he and Sahid had buried the saw.

13. On 16<sup>th</sup> of September 2023, a statewide violence broke in the state of Satyampur. People demanded justice for those three women. Started throwing smoke bombs on government vehicles and destroyed many public property. The court of Satyampur ordered for further investigation on the matter by constituting a committee.

14. It found through the status report that two among those women were gang-raped and their father and brother were killed by a mob on May 4. While a Zero FIR in this case was filed on May 18 – 14 days after the incident which was earlier complained by Sukhoi's parents in tuhirbad district.

15. The police filed the charge sheet against Aron, Mehsud, Sahid and Pulan under section 354, 376D, 302 read with section 120 B and 6 other men who aided the offenders by guarding the door of rice mill under section 109 of Indus Penal Code, 1860, Sec 3 of Scheduled Caste and Schedule Tribe (Prevention of Atrocities) Act, 1989 and Sec 67, 66 Information Technology Act, 2000.

16. Those four anonymous men were declared juvenile in trial and the trial is still going on in Satyampur Juvenile court. Only Aron, Mehsud, Sahid and Pulan were tried by sessions judge at Satyampur. During the examination of witnesses, Sahera the neighbor of Tridevi was declared a hostile witness as he stated that he had never told the police about seeing Tridevi and Aron leaving together before the disappearance of Tridevi.

17. In their statement recorded under Section 313 CrPC, 1973 Aron and Sahid said, "I don't know", in reply to all the questions put to them. In his statement recorded under Section 313 CrPC, 1973 Mehsud confessed killing both Mandira and Sukhoi with a saw.

18. The Sessions Judge convicted Aron and sentenced him for 10 years of rigorous imprisonment with 1 lakh as fine and in default, one month of simple imprisonment under Section 201 of Indus Penal code, 1860. Whereas it convicted Mehsud with imprisonment for life.

19. The Sessions Judge acquitted Sahid for the lack of evidence on the ground that the murder weapon was recovered by the help of confession of Mehsud and by him and the judicial confession of a co-accused cannot be relied upon for convicting.

20. State of Satyampur challenged the acquittal of Sahid and enhancement of punishment of Aron before the Hon'ble High Court of Satyampur in an appeal. The case *State of Satyampur v. Aron and others.* is now listed for final hearing before a Division Bench.

17. For the purposes of this moot problem, Indian Penal Code, 1860 or IPC, 1860 and Code of Criminal Procedure, 1973 of the Republic of India, Scheduled Caste and Schedule Tribe (Prevention of Atrocities) Act, 1989 and Information Technology Act, 2000 are in *pari materia* with the Indian Penal Code, 1860 and the Code of Criminal Procedure, 1973 as applicable to the whole of India respectively.

For the purpose of this moot proposition, the teams are required to frame issues of their own (maximum 4) and argue the matter in hand before the appropriate forum.