

PENDEKANTI LAW COLLEGE

Chikkadpally, Hyderabad

**Affiliated to Osmania University & Approved by BCI
& Sponsored by Vasavi Academy of Education**

PENDEKANTI VENKATASUBBAIAH MEMORIAL NATIONAL MOOT COURT COMPETITION 2024

09 & 10th November, 2024

BROCHURE



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About The Founder

Sri Pendekanti Venkatasubbaiah, one of the veteran statesmen of Independent India, held many important positions in his lifetime. He served in the capacities of the Union Minister of State for Home & Parliamentary Affairs (1980-84), the Governor of Bihar, and later, of Karnataka.

Sri Pendekanti Venkatasubbaiah was born in an affluent family of agriculturists on 18th June, 1921 at Sanjamala, a village in the erstwhile Princely State of Banaganapalli in Kurnool District of Andhra Pradesh. He took keen interest in the national movement while he was a student in Nandyal, the constituency he represented subsequently for 27 years in Lok Sabha. He dedicated himself to the national movement and fought against oppression, braving imprisonment.

Sri Venkatasubbaiah was secular in his outlook throughout his life and fought firmly against all kinds of inequalities and oppression. His vision for an egalitarian and progressive future reflects in the institutions that he founded and inspired.

A Gandhian to the core, he had passionate interest in Education, Khadi and Co-operation. He started several educational institutions, hostels for poor boys and Co-operative Societies.

VASAVI ACADEMY OF EDUCATION

Vasavi Academy of Education was established in 1981 by a few prominent members of the society with Sri Pendekanti Venkatasubbaiah, an eminent social worker, an able administrator and former Governor of the states of Bihar and Karnataka as Hon. Patron – in – Chief, with the laudable objective of providing quality education on non-commercial basis to all, particularly in the field of professional education.

Sri Pendekanti Venkatasubbaiah guided the destiny of Vasavi Academy and was indeed a friend, philosopher and guide throughout his life and established schools, engineering, polytechnic, management and law colleges in Andhra Pradesh and Telangana States.

The college has been conducting regular moot courts, workshops, seminars, symposiums, interaction with the members of Industry, Bar and Bench. The college has highly qualified and experienced faculty appointed by the duly constituted committee of the Osmania University.

The Academy has, since its inception in 1981, sponsored and established several institutions, in addition to Pendekanti Law College.

- Vasavi Public School
- Vasavi Polytechnic
- Vasavi College of Engineering
- Pendekanti Institute of Management
- Vasavi College of Music and Dance

ABOUT PENDEKANTI LAW COLLEGE

Pendekanti Law College was formally inaugurated on the 13 April 1991 by the then Chief Justice of India, Hon'ble Sri Ranganatha Misra and Sri Krishna Kanth, the then Governor of Andhra Pradesh, was the Chief Guest.

The college offers LL.B., 5 Years Integrated Degree Course; LL.B., 3 Years Degree Course and LL.M., with corporate law specialization. The college has been conducting regular moot courts, workshops, seminars, symposiums, interaction with the members of Industry, Bar and Bench. The college has highly qualified and experienced faculty appointed by the duly constituted committee of Osmania University.

The College is equipped with excellent teaching faculty and also infrastructure. Owing to its dedicated efforts for over three decades, Pendekanti Law College has emerged as the centre for excellence in qualitative legal education and strives to maintain its preeminent position.

Aims & Goals

- To provide quality education by making the students excel in basic principles of law and justice.
- To provide an opportunity to the students by involving them in clinical legal education.
- To enhance the skills of the students through innovative and scientific methods of teaching law and the application of text to the context.
- To provide value based education and make the students socially relevant and responsible.
- To inculcate a healthy competitive spirit among the students to meet the global challenges in the legal profession.

Pendekanti Venkatasubbaiah Memorial National Moot Court Competition

Moot court competitions are integral to legal education, providing a platform for law students to develop essential skills in a simulated courtroom environment. These competitions mimic real court proceedings, allowing students to argue hypothetical cases as either appellants or respondents. The primary purpose of moot court competitions is to bridge the gap between theoretical knowledge and practical application, enhancing students' understanding of legal processes and advocacy. Keeping in view the above purpose Pendekanti Law College has been organizing National Moot Court Competition in memory of the founder Sri Pendekanti Venkata Subbaiah garu, from time to time.

PENDEKANTI VENKATA SUBBAIAH MEMORIAL **NATIONAL MOOT COURT COMPETITION 2024**

MOOT COURT - RULES & REGULATIONS

GENERAL

DATE & VENUE:

The Competition shall be held on the 09th & 10th November, 2024, in physical mode, at Pendekanti Law College, Chikkadpally, Hyderabad.

QUALIFICATION & ELIGIBILITY:

The Competition is open to all bona fide regular students enrolled in any undergraduate law course or its equivalent in any University or Institute within India recognized by the Bar Council or State Government or Central Government, as the case may be.

TEAM COMPOSITION:

- Each team participating in the Competition shall comprise of three members, consisting of two speakers / mooters and one researcher.
- The composition of the team shall not be changed once a team has registered under any circumstances whatsoever.
- Changes in the aforementioned designations (speakers and researcher) shall not be made without a request to the Coordinator(s) of the competition seeking such change, as the case may be.
- The discretion to allow or disallow such change shall solely rest with the Coordinator(s), depending upon the reasonability of the cause shown, stage of the Competition, and compliance with the aforementioned rules.

LANGUAGE:

The official language for the Competition shall be English.

DRESS CODE:

- a. Participants shall be appropriately dressed for all rounds of the Competition.
(Note: Robes and collar bands are not permitted.)
- b. The dress code for all segments of the Competition shall strictly be as follows:
For Gentlemen: - Western Formals, White formal shirt, Black formal pants, Black blazer & Tie
For Ladies: - Western Formals, White formal shirt, Black formal pants, Black blazer, Or Indian Formals, White kurta, Black pants, Either a black waistcoat or black blazer.
- c. Compliance with the dress code is mandatory for all participants during the inauguration, oral rounds, and valedictory & prize distribution ceremonies.
- d. The Organizing Committee reserves the right to determine compliance with the dress code and take appropriate action in case of non-adherence.

CLARIFICATION PERTAINING TO THE MOOT PROBLEM:

- a. Participants may seek clarifications regarding the Moot Proposition by sending mail to the official mail of the competition: pvsnationalmoot2024@gmail.com
- b. All clarification requests must be submitted on or before 18.10.2024 (12:00 noon). **Clarifications received after this date shall not be entertained under any circumstances.**
- c. The Organizing Committee will endeavor to respond to all clarification requests on or before 18.10.2024
- d. Participants are advised to check their email regularly for clarifications provided by the Organizing Committee.
- e. The clarifications issued by the Organizing Committee shall be final and binding.
- f. Participants are expected to consider the clarifications while preparing their written memorials and oral arguments for the Competition.

REGISTRATION:

- I. Teams interested in participating must fill out the Google form by 18th September 2024 (05:00 P.M.). Registration link: <https://forms.gle/n6LotSvKpG7R2tvx5>. **ONLY ONE TEAM PER COLLEGE / INSTITUTION CAN PARTICIPATE.**
- II. Registration is on a first-come, first-serve basis.
- III. Every successfully registered team will be allotted a unique code after the closure of the registration. (E.g. TC – 01)
- IV. Teams must use the assigned code for all communications with the organizers during the competition.
- V. Participants must submit a consent letter from their respective universities/institutions.
- VI. The letter must be issued on the university's / Institutions letterhead, granting permission to participate.

The consent letter must include:

Name of the college/institution/university.

Name of participating students.

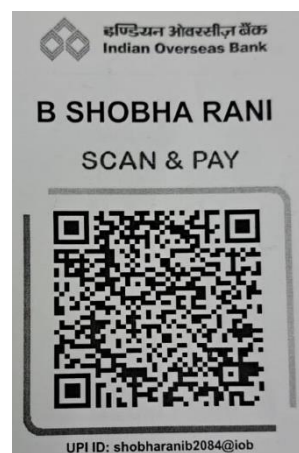
Year of study of participants.

Permission to participate in the moot court competition.

Duly signed and sealed by the competent authority of the institution.

- VII. Teams should upload a scanned copy of the institution identity card.
- VIII. Teams must attach a copy of the online payment receipt for Rs.3,000/-
- IX. Payment should be made in favor of:

**Indian Overseas Bank,
Chikkadapally, Hyderabad.
Account Number: 067801000032084
Account Holder: B. Shobha Rani
IFSC Code: IOBA0000678;
UPI Id: shobharanib2084@iob**



- X. Note: No demand draft or cheques are accepted for this payment.
- XI. Registration is deemed complete only when the registration fee has been remitted successfully, and the application form is duly filled.

ACCOMMODATIONS:

- I. Accommodation will be provided in the vicinity of the college for all participating teams on request.
- II. Teams must fill out the accommodation form.
- III. The accommodation form should be submitted by 18.09.2024 to ensure timely arrangements.
- IV. Teams should strictly adhere to the designated check-in and check-out times.
- V. Early arrivals or late departures must be communicated and approved in advance.
- VI. Room allocation will be done by the accommodation committee based on availability and other relevant factors.
- VII. Any issues or concerns regarding accommodation should be promptly reported to the accommodation committee for resolution.

MEMORIALS:

- I. Each participating team is required to prepare memorials for both the Petitioner/Appellant and the Respondent in English.
- II. Teams must submit soft copies of their memorials in both doc. and pdf. formats to pvsnationalmoot2024@gmail.com by 18.10.2024 (11:59 P.M.).
- III. Subject of the email should be “[Team Code] – Memorial Submission”
- IV. Hard copies (6 Soft Bound Copies) of the memorials must be sent to the following mailing address before 28.10.2024.

**The Coordinator,
Pendekanti Venkata Subbaiah Memorial National Moot Court
Competition - 2024.**

**D.No. 1-1-338, New MCH # 465, Street No. 06, Vivek Nagar,
Chikkadpally, Hyderabad, Telangana 500020.**

- V. There will be an exchange of memorials between the teams post-inauguration ceremony on 09.11.2024 and for the advanced rounds during the competition prior to the rounds.
- VI. Memorials shall not exceed 40 typed pages.
- VII. The following elements are to be included in the 40 typed pages limit:
 - a. Cover Page
 - b. Table of Contents
 - c. List of Abbreviations
 - d. Index of Authorities
 - e. Statement of Jurisdiction
 - f. Statement of Facts
 - g. Statement of Issues
 - h. Summary of Arguments
 - i. Written Arguments
 - j. Prayer
- VIII. Cover page color for petitioners/appellant: BLUE; for respondents: RED.
- IX. The two documents shall be marked as ‘Memorial for Petitioners/Appellant’ and ‘Memorial for Respondents’ respectively, with their team codes in bold on the top right corner of the cover page.

FORMATTING RULES:

- A. Font type: Times New Roman
- B. Font size: 12 for the main text, headers, and footers; 10 for the footnotes
- C. Line spacing: 1.5 for main text, 1.0 for headers and footers
- D. For footnotes: Single spacing between two footnotes.
- E. Body of text: Justified
- F. Margin: 1 inch from all sides
- G. Page Size: A4
- H. All quotations of fifty words or more in any part of the memorial shall be block-quoted and must be single-spaced.
- I. Teams shall follow a uniform style of citation throughout their written submissions, preferably the Bluebook Method of Citation (21st edition).

EVALUATION CRITERIA:

- I. The Memorial score for participants will be calculated by taking the average of the scores of memorials for both sides.
- II. Criteria for Memorial Markings:

Criteria	Marks
Knowledge of law and facts	15
Use of authorities	10
Clarity, brevity, and style	10
Articulation and structure of arguments	10
Presentation	05
TOTAL	50

- III. Written memorials will be evaluated by expert(s) appointed by the Organizing Committee.
- IV. Petitioner Memorial will be evaluated out of 50 marks, and Respondent Memorial will be evaluated out of 50 marks.
- V. Usage of electronic devices such as: Smart Phones, Smart Watches, Bluetooth devices, etc. during the Preliminary, Quarter, Semi-Final and Final oral rounds as well as during the researchers test, will lead to immediate disqualification.
- VI. A dress code violation shall result in a deduction of (-1).
- VII. In case of a tie between two teams, Memorial Marks will be considered to determine the winner.
- VIII. The best Researcher will be decided based on a Researcher's test on 09.11.2024.

IX. Oral Rounds Evaluation Criteria:

Criteria	Marks
Knowledge and application of law	30
Organization and presentation	20
Advocacy (including articulation)	20
Responsiveness to questions	20
Courtroom etiquette (including attire)	10
TOTAL	100

- X. The Pendekanti Venkata Subbaiah National Moot Court Competition 2024 will be conducted in a physical/offline mode at the Pendekanti Law College, Chikkadpally, Hyderabad.
- XI. The competition is structured as follows:
1. Preliminary rounds
 2. Quarter-finals
 3. Semi-finals
 4. Finals

PRELIMINARY ROUNDS (09th NOVEMBER, 2024)

1. The opposing teams will be decided by the Organizing Committee before the commencement of Preliminary rounds.
2. Each team is required to present arguments twice during the Preliminary Rounds, once for the Petitioner/Appellant and once for the Respondent.
3. 20 minutes for the Petitioner/Appellant and 20 minutes for the Respondent.
4. Time pauses when judges pose questions, and time taken to respond is counted within the allocated time.
5. An additional 3 minutes for rebuttals during the preliminary rounds will be allocated.
6. Both speakers of the team shall make oral presentations during the preliminary round, and presentations may be divided among the Moot Court participants as per their discretion.

7. Exceeding the allotted time during oral presentation results in deduction from the time reserved for rebuttals.
8. If an opponent team fails to appear, the round will be conducted exparte, and scoring will be based on the assumption that the defaulter team had presented and argued.
9. Preliminary round results will be announced on the same day.

QUARTER-FINAL ROUNDS (09th NOVEMBER, 2024)

1. The top eight teams, selected based on marks awarded for oral presentations in the preliminary round, will qualify for the quarterfinals.
2. In the case of a tie, the team with a higher memorial score will be declared the winner.
3. Teams arguing against each other will be decided by the Organizing Committee before the commencement of the quarter-finals.
4. 25 minutes for the Petitioner/Appellant and 25 minutes for the Respondent.
5. Three (3) additional minutes for rebuttals will be allocated during the quarter final rounds.
6. Teams will Argue on both sides.

SEMI-FINALS ROUNDS (10th November, 2024)

1. Teams with the highest scores in their respective courtrooms, based on marks awarded for oral presentations during the quarter – finals, will qualify for the semi-final rounds.
2. The sides and teams arguing against each other will be decided by the Organizing Committee.
3. 30 minutes for the Petitioner/Appellant and 30 minutes for the Respondent.
4. Five (5) additional minutes for rebuttals will be allocated during the Semi – finals.
5. Teams will Argue on both sides.

FINAL ROUNDS (10th November, 2024)

1. Teams with the highest scores in their respective courtrooms will compete in the Final Round.
2. Sides to be argued by the teams will be decided by a draw of lots before the commencement of the Final Round.
3. Each team will be permitted to speak for a total of 45 minutes during the final round.
4. There will be a warning at the end of 30 minutes, and a final warning at the end of the allotted time.
5. Additional 5 minutes for rebuttals during the finals.

AWARDS:

Category	Award (Cash Prize)
<i>Winners</i>	20,000/-
<i>Runner-Up</i>	15,000/-
<i>Best Researcher</i>	5,000/-
<i>Best Mooter</i>	5,000/-
<i>Best Memorial</i>	5,000/-

NOTE:

1. Certificate of Merit will be awarded to Winners, Runners – Up, Best Researcher, Best Speaker & Best Memorial.
2. Certificates of participation shall be provided to all participants.
3. Certificates, awards, and prizes, including Certificate of Merit, Cash Prizes, and Certificates of Participation, shall only be distributed during the official valedictory ceremony of the Pendekanti Venkata Subbaiah National Moot Court Competition 2024.
4. Strict compliance is required, and any request for the postage or courier delivery of certificates, awards, or prizes will not be entertained at any cost.
5. The Organizing Committee reserves the right to make exceptions to this clause under extraordinary circumstances, subject to their discretion.

IMPORTANT DATES:

S. No.	Particulars	Date
1.	Release of Moot Proposition & Rules	18.08.2024
2.	Commencement of online registration	18.08.2024
3.	Last date of registration	18.09.2024
4.	Last date of seeking clarification	18.10.2024
5.	Last date of submission of memorial (soft – copy)	18.10.2024
6.	Last date of submission of memorial (Hard – copy)	28.10.2024
7.	Inaugural Function	09.11.2024
8.	Researcher's Test	09.11.2024
9.	Preliminary Rounds	09.11.2024
10.	Quarter Final Rounds	09.11.2024
11.	Semi-Final Rounds	10.11.2024
12.	Final Round	10.11.2024
13.	Valedictory Function	10.11.2024

CORE COMMITTEE

Dr. P. Aravinda,
Principal & Convenor

Dr. V. Shobha Rani,
Sr. Asst. Professor & Coordinator

Smt. M. Sreevani,
Asst. Professor & Coordinator

Sri. G. Vaishnav Kumar
Asst. Professor & Coordinator

Ms. P. Sripriya,
Asst. Professor & Co-Coordinator

Ms. Afifa Ahmad,
Asst. Professor & Co-Coordinator

ORGANIZING COMMITTEE:

1. **Sri. A. V. Syam Prasad, Asst. Professor.**
2. **Dr. L. Padmavathi, Asst. Professor.**
3. **Dr. K. Padma, Asst. Professor.**

CONTACT US:

Pendekanti Law College, D. No. 1-1-338, New MCH # 465, Street No. 6, Vivek Nagar,
Chikkadapally, Hyderabad - 500020, Telangana, India.

Email: pvsnationalmoot2024@gmail.com (for moot related queries only)

Ph: Sri. G. Vaishnav Kumar, Asst. Professor. Ph: 9490314602 OR
Ms. P. Sripriya, Asst. Professor. Ph: 9963392586

Phone contact to be made only during official hours viz. 10.00 am – 05.00 pm.

PENDEKANTI VENKATA SUBBAIAH MEMORIAL
NATIONAL MOOT COURT COMPETITION 2024

MOOT COURT - PROPOSITION

Mr. Sujay is a registered psychiatrist and an established horror-fiction writer, wrote a new crime series based on his clinical experiences. He authored a book named “Hatya” (about to be released) which is a crime thriller based on his clinical experiences. The book focuses on the perspective of crimes from the side of the criminal. To publicize his book, increase readership and sales he decided to go for online publicity through a website exclusively designed by him. He purchased the domain name from a service provider named “M/s. Aphrodite Tech” who are exclusively concerned with hosting the website and are nowhere connected with any other services. Sujay was given the domain name as per his requirement. Consequently, he designed his website using Artificial Intelligence through an app named “Quill-PT” for generating the write-ups and summary of his book.

After generating the content he posted the same on his website “<https://hatya.aph>”. The summary generated by AI is as follows:

“The book "Hatya," written by the acclaimed author Mr. Sujay, provides a detailed, word-for-word depiction of the heinous crimes committed by criminal masterminds. The stories immerse readers in the mind of a murderer, revealing his thought process as he selects his unsuspecting young victim, a girl of 14 years Rupa Dhananjay. Enamored by her flowering tender body and dark complexion, he develops a fatal attraction towards her and starts stalking her with the lecherous intention of having abnormal intimacy and satisfying his unnatural lustful urges. Aroused by his pedophilic thoughts of capturing her young tender and budding body. He uses his charming nature, whereby he entices and traps her, then meticulously plans her torture through myriad ways such as verbal abuses, sexting, dirty talk, engaging in sadomasochistic activities like slapping, whipping, flogging, or piercing the skin with knives or needles, rape, and other forms of torment. Ultimately, he kills her slowly and painfully, capturing every excruciating moment on camera and live streaming it to the world on the dark web.”

The website registered a record number of hits within a period of two days. There was an overwhelming response to the site resulting in a number of enquiries concerning the proposed sale of books. Mr. Pranay, a child rights activist by profession came across the website of Mr. Sujay. After reading the summary of the book he was startled by the graphic references to such abhorrent content such as gory references to the murder, rape, BDSM activity, torture on a child victim. He decided to raise a protest against the sale of the proposed book and its publicity on the website.

He first approached Mr. Sujay through mail and requested him to remove such an explicit summary from the website. Having received no response from Mr. Sujay, Mr. Pranay approached the Nodal Officer (under the Information Technology Act, 2000) appointed by the State Government of Trilinga. Wherein he requested him to block the public access to the website immediately. The concerned authorities under the Information Technology Act, 2000 had examined the request and after due examination they had blocked the website under Section 69A of Information Technology Act, 2000.

Simultaneously, Mr. Pranay as a responsible citizen approached the state cyber crimes cell and lodged a complaint against the author Mr. Sujay and “M/s. Aphrodite Tech” under Sections 292 of the Indigo Penal Code, 1860, R/w. Ss. 67A of the Information Technology Act, 2000. The trial court had sentenced Mr. Sujay and the Director of M/s. Aphrodite Tech to undergo imprisonment for a period of two years for commission of offence U/s. 292 of the Indigo Penal Code, 1860 and imprisonment for a period of five years along with fine of Rs. 5 Lakhs U/s. 67A of the Information Technology Act, 2000.

The conviction was appealed by both Mr. Sujay and M/s. Aphrodite Tech before the sessions court which had upheld the conviction. Aggrieved by the same, both the parties had approached the High Court of Trilinga.

The High Court had reversed the conviction by acquitting both the parties with an observation that the content of the summary as hosted in the website is not obscene in any manner. It depicts the depravity of the mind of the criminal seen through the eyes of a trained criminal psychiatrist who has years of professional experience in handling and counseling convicts. More so, the High Court had also granted a Certificate of Appeal under Art. 134-A of the Constitution of India by framing a substantial question of law as to the interpretation of the Constitution as follows:

“Whether the graphical depiction of the mental depravity of a criminal by an author be made punishable under Section 292 of the Indian Penal Code, 1860.”

Against the said acquittal the State of Andhra Pradesh prefers Criminal Appeal before the Hon’ble Supreme Court of India.

As the matter stood thus, the detailed analysis, articles, comments, etc. on the above judgment including adverse remarks on the professional integrity of Mr. Sujay were circulated in a social media app - “WhyApp”. The said viral content in the said app were derogatory in nature and were indirectly leveling serious imputations against Mr. Sujay and his professional practice.

Meanwhile, Mr. Sujay, basing on his acquittal by High Court, had approached the Nodal Officer with the request to unblock his website and to block the defamatory and insinuating social media content from WhyApp. However, both his requests were rejected by the Nodal Officer. Aggrieved by the said action, Mr. Sujay had preferred writ of mandamus before the High Court of Andhra Pradesh seeking issuance of directions to the Nodal Officer to unblock the website and to consequently block the derogatory social media content being circulated in WhyApp. He contended before the High Court that the said act of the Nodal Officer is violative of his Right to be Forgotten and Right to Privacy as granted under Article 21 of the Constitution of India.

However, the High Court of Trilinga dismissed the writ petition on the grounds that content being circulated in the WhyApp is fair comment and the same is not violative of Article 21. In addition it held that the action of Nodal Officer in refusing to unblock the website is justified as the same was having unrestricted public access and may have adverse effect on the minds of the young audience. Against the said dismissal Mr. Sujay had preferred a Special Leave Petition before the Hon'ble Supreme Court of Indigo.

The Supreme Court had clubbed both the petitions namely Criminal Appeal filed by the State of Trilinga and Special Leave Petition by Mr. Sujay as they involve common and consequential questions of law.

Issues:

1. Whether the High Court had erred in acquitting Mr. Sujay and Director of M/s. Aphrodite Tech for the commission of offenses under Section 292 of the Indigo Penal Code, 1860, R/w. S. 67A of the Information Technology Act, 2000.
2. Whether the High Court of Trilinga was justified in rejecting the requests of Mr. Sujay to unblock public access to his website.
3. Whether Mr. Sujay is entitled to exercise his Right to be Forgotten under Art. 21 of the Constitution by seeking blocking of access to the content written on judgment acquitting him relating to his upcoming book from social media app "WhyApp".

* * *

Note: *The Constitution of Indigo and other laws are in pari materia with the Constitution of India and the statutes made by the Parliament of India and respective state legislatures from time to time.*

The participants are instructed to confine their respective arguments to the above issues only.