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SRM UNIVERSITY

SRM SCHOOL OF LAW

Presents

1ST Annual Rationibus Jure Moot Court Competition, 2016

1ST Annual Rationibus Jure Moot Court Competition, 2016

11th - 13th March, 2016

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OFFICIAL INVITE

We, SRM School of Law, take pleasure in inviting you to the *1st Annual Rationibus Jure Moot Court Competition, 2016* scheduled to be held from *11th to 13th of March, 2016* at our institution. Students from our institution have participated in various moot court competitions conducted all over India since 2014 and have come out with flying colours. Being 2 years old, SRM School of Law has entered the forum of conducting moot court competitions for the academic year 2015-2016. This year the moot proposition is based on International Law and Constitutional Law. The Rounds will be judged by Sitting and retired High Court Judges, Legal Luminaries, Legal Experts to maintain the vigour and to get the best out of the teams.

Interested Institutions are requested to provisionally register their participation through e-mail on or before *10th February 2016* after which they can send us the duly filled registration forms when the team composition has been finalised.

Dean
SRM SCHOOL OF LAW

Union of Canaus Vs Republic of Sindh

Sindh is a developing country in the South Asian continent. The country and its pharma industry have been rapidly developing in the last 5 years. With the increase in the population the country has invested a lot in the pharma industry.

In 2002, an ambitious project titled “the X34 Project” was initiated by the National Pharma Institute, Bangalore and was headed by Dr. Raj Gowda. In the past Dr. Raj had invented a drug as a cure to the Trench foot disease that had hit Sindh during the war with Pakistan. This disease had killed many Sindh soldiers, so his invention had greatly contributed to the Nation at the time of war. He was bestowed with a Honour by the Government of Sindh on Republic Day.

Due to his good repute the Sindh Government invested in this project; the X34 Project. The aim of the project was to develop a drug that could prolong human life. This drug was considered as a difficult task due to the complications and uncertainty of the human body. This was held as confidential and everyone was denying its existence.

After 2 years of hard work, the team lead by Dr. Raj had finally developed the drug and introduced it to the institute and its chairman. Dr. Vani. Dr. Vani was a very ambitious and money minded lady. She was very impressed with the work and could foresee the potential profits from this drug. She was determined to clear the project for human trails. So after one more year, the drug was cleared for human trails.

The drug was tested on 20 individuals; 10 males and 10 females, belonging to the Kathipura district of Nesanadu. All the subjects were from lower class background, and were well informed of the adverse effects of the drug. The subjects were observed for 1 month and the observations were recorded by Dr. Vani and Dr. Raj. They didn't observe any disturbance and it was arrived that the project was successfully completed. Due to additional scope in career Dr. Raj Gowda decides to settle in U.S. and continue his research regarding the same project which was intended to cure even the genetic problems thereby still providing more efficiency to the X34. He leaves to US.

After 6 months, the formalities were completed and X34 was ready for approval. This news was taken to the public through all the media. People were both happy and

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surprised and started celebrating the efforts of the team and initiatives taken by the Sindh Government. Meanwhile, in Kathipura district, a woman named Mrs. Kasthuri died out of heavy stomach pain and internal bleeding. The cause was not known. A week later, from the same district another woman named Mrs.Chandhini died out of same complaints. A local reporter starts investigating. He was helped by his friend Mr.Kathir who is a pharmacist. At the end of investigation truths are being revealed. The investigated reports were sent to media fearing that it could be suppressed if it is sent to any of the Government authorities.

Next day morning, the front page of the newspapers read “Government’s sport with human lives: X34 failed: 2 died”. Opposite parties joined together and created various disturbances in the society against the ruling party. The Government cancelled the project and set up an enquiry commission lead by former High Court Judge. Notice was issued to the Dr.Vani and other team members including Raj Gowda. Except Dr.Raj Gowda all cooperated with the enquiry. Raj Gowda didn’t return to Sindh. Sindh Government decides to get the help of US Government through Sindh Embassy. Meanwhile, fearing arrest, Dr.Raj Gowda tries to escape from US. He boards oil tanker with the help of his friend who is working as a mechanic in the oil tanker. Dr.Raj Gowda takes the samples and his research papers along with him. The oil tanker has to supply oil to the Italian ships which were on high seas. To reach those Italian ships, oil tanker has to cross the territorial waters of Canaus.

On 28.11.2015 the oil tanker had left the territorial waters of the ARAEMIA coast, and the coast guard couldn’t peruse the ship anymore. The ship was 100 miles off the ARAEMIA coast and was drifting in the high seas. The ship was also carrying oil and was soon bound to enter the exclusive economic zone of Canaus. The ship had to pay the tax to the Italian government for transporting oil, but had failed to do so. As the ship was still in the high seas, it was not bound to pay the tax as of yet, but had via the radio requested urgent permission to enter the Italian waters and supply the oil. They didn’t receive any response.

Since the time was running, oil tanker entered the territorial waters of Canaus.

In about minutes, the ship was surrounded by the Italian coast guard claiming that the ship was transporting oil that wasn’t accounted for and that tax wasn’t paid for the same. The authorities seized the oil and they started to interrogate the people on board. They found Dr. Raj very suspicious and wanted to know what he was doing on board in Oil tanker. They seized his logs and samples of the drug. On enquiry he gave all the

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informations. To verify this, Canaus contacted Sindh Government. Soon they informed the US officials and took Dr. Raj into custody.

At about 1:00 pm, the ARAEMIA guard came into the scene and demanded the Italian authority to handover Dr. Raj. Meanwhile Sindh authorities also demanded the Italian Authority to handover Dr.Raj. As ARAEMIA Government has already accepted for the request made by the Sindh Government to handover Dr.Raj, ARAEMIA authorities left the issue regarding Dr.Raj and stood by the side of Sindh Authorities. However, they accepted to pay the duty imposed for the violation caused by the oil tanker by entering into the Italian waters without proper permission. With respect to the matter concerning Dr.Raj ,The Italian Authorities refused, stating that he was now under their custody as according to the laws of Canaus, any research related to human life against nature is prohibited. According to him, human life is a gift given by the God. Man doesn't have any right to shorten or prolong its duration. Government of Canaus strictly follows it as a policy. The Italian authorities took the matter to their domestic courts and the tribunal. They also stated that, as Dr. Raj isn't Sindh national anymore the Sindh Authorities don't have jurisdiction anymore; and as the ship has left the ARAEMIA waters the ARAEMIA authorities also don't have jurisdiction over the matter. Since Canaus has not ratified any of the extradition treaty either with ARAEMIA or with Sindh, it is not bound by any international law pertaining to this subject matter. Denying the jurisdiction of the Domestic Court of Canaus, Sindh takes the matter before ICJ. The matter has been listed for hearing.

1. Whether Domestic Court of Canaus has jurisdiction?
2. Can a country force its legal principles and beliefs on other country?
3. Whether Dr. Raj should be prosecuted, considering his contribution?

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IMPORTANT DATES

1. Provisional Registration : 10th February 2016
2. Soft Copies of the Registration Form with DD(Soft Copy) : 15th February 2016
3. Hard Copies of the Registration Form with DD(Original) : 22nd February 2016
4. Submission of Memorials (Soft Copy) : 1st March 2016
5. Submission of Memorials (Hard Copy) : 11th March 2016
6. Dates Of Competition : 11th – 13th March 2016

RULES & REGULATIONS

1. DATE & VENUE OF THE COMPETITION:

1st Annual Rationibus Jure Moot Court Competition, 2016 scheduled to be held from *11th to 13th of March, 2016* at the SRM School of Law, SRM University, Kattankulathur – 603 203

2. TEAM ELIGIBILITY & TEAM COMPOSITION:

- a. Participation is strictly restricted to *bona fide* law students enrolled in the three year or five year LL.B. or B.L. degree course in any institution in India.
- b. Only one team is permitted to participate from each provisionally registered institution.
- c. Each team shall comprise of three members, i.e., 2 Speakers and a Researcher.

3. REGISTRATION PROCEDURE:

- a. Provisional Registration of the participating institutions shall be sent by e-mail to nmcc.2016@srmuniv.ac.in on or before **10th February 2016, 11:59 PM**.
- c. Upon receipt of an e-mail confirming provisional registration from the Organising Committee, participants shall further complete the Registration Formalities by sending the duly filled and signed Soft Copy (scanned copy) of the Registration Form as well as the scanned copy of the Demand Draft for **Rs. 3,000/-** to nmcc.2016@srmuniv.ac.in on or before **15th February, 2016 11:59 PM**. The Demand Draft shall be drawn in favour of

“DEAN, SRM SCHOOL OF LAW”, payable at Chennai.

- c. The Hard Copy of the Registration Form, Travel Form and the Original DD shall reach the Organising Committee on or before **22nd February 2016**. The address for correspondence is

M.Brinda Karthikeyan
Assistant Professor and Moot Co-ordinator,
1st Annual Rationibus Jure Moot Court Competition, 2016
SRM School of Law
SRM University
Kattankulathur – 603 203
Kancheepuram District,
Tamilnadu

- d. Team Code will be assigned at the time of Final Registration at SRM School of Law in person on 11th March, 2016

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4. DRESS CODE:

- a) **Gentlemen** - Western Formals (White formal shirt with black formal pants and a black blazer)
- b) **Ladies** - Western Formals (White formal shirt with black formal pants/black formal skirt and a black blazer) or Indian Formals (white kurta with black pants and either a black waistcoat or black blazer).

5. ACCOMMODATION, FOOD AND TRANSPORT

Accommodation, food and transport to the participating teams will be provided by the Organizer . No other place of stay shall be provided from the morning of March 11 till the morning of 14 March, 2016. The teams must bring along a maximum of three (3) members. Any additional member shall not be entertained during the competition.

b. The participants must abide by the rules and regulation observed in the campus, non-compliance with which may lead to disqualification.

Note: Intake/use/mere possession of any prohibited substance (e.g. cigarette/alcohol/narcotic substance) is strictly prohibited during the stay throughout the competition, non-compliance with which may lead to immediate disqualification.

6. CLARIFICATIONS

Clarifications to the Moot Proposition and the Rules regarding submission of the Memorandum shall be sought by sending an e-mail to nmcc.2016@srmuniv.ac.in on or before **25th February, 2016, 11:59 PM**. Clarifications sent after this date shall not be entertained at any cost. The List of Clarifications shall be released on **27th February, 2016**.

7. MEMORANDUM/WRITTEN SUBMISSIONS

- a. Participants are required to submit Memorandum or Written Submissions for both the Petitioner and the Respondent.
- b. Teams shall e-mail two Soft Copies each of the Memorandums, in PDF and Microsoft Word formats, i.e. four (4) separate file attachments for the Petitioner and Respondent, on or before **29th February 2016, 11:59 PM** to nmcc.2016@srmuniv.ac.in. Late submission shall not be entertained.
- c. Only the Team Code shall be specified on the Memorandum. Any reference regarding the participating institution shall result in immediate disqualification.
- d. Amendment to the memorandum shall not be permitted after submission of the soft copies. Variation found in the Hard Copy shall be penalised.

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- e. **Six (6) Hard Copies of each of the Petitioner and Respondent Memorandums** shall be submitted during the Team Registration on **11th March 2016** in person. Participants are advised to carry additional copies of their Memorandum for their own use. Copies submitted to the Organising Committee shall be used for the evaluation of the Memorandum, for the Exchange of Memorandum and for the Judges Bench for each of the Oral Rounds.
- f. The Organising Committee reserves the right to use the memorandum submitted by the participating teams, as it deems appropriate. The memorandum submitted shall not be returned to the participants.
- g. Written Test will be conducted for Researchers on March 11th after inauguration.

8. CONTENTS OF THE MEMORANDUM:

- a) Each Memorandum shall contain the following:
 - i. Cover Page (shall include Year of the Competition, Cause Title, Forum/Court, designation as Petitioner or Respondent Memo, Team Code on the top right corner - e.g. 21P or 21R, Petitioner Memorandum –Blue Cover and Respondent Memorandum – Red Cover)
 - ii. Table of Contents
 - ii. Index of Authorities
 - iv. Statement of Jurisdiction
 - v. Statement of Facts
 - vi. Issues Raised
 - vii. Summary of Arguments
 - viii. Arguments Advanced
 - ix. Prayer
- b) The following content specifications shall be strictly adhered to:
 - i) Language: English
 - ii) **Body** Font & Size: Times New Roman, 12; Line Spacing: 1.5
[The spacing need not be followed for the Cover Page, any Tabular Column, Header or Footer] .No of Pages should not exceed 35 pages overall.
 - iii) **Footnotes** Font & Size: Times New Roman, 10; Line Spacing: 1.0; Paragraph Spacing: None; No additional space between footnotes

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9. AWARDS

Winners	:	50,000/-
Runners	:	20,000/-
2 nd Runners up	:	10,000/-
Best Memorial	:	7,000/-
Best Memorial(2)	:	3,000/-
Best Speaker(1)	:	7,000/-
Best Speaker(2)	:	3,000/-
Best Researcher(1)	:	7,000/-
Best Researcher(2)	:	3,000/-

Participants will be given participation certificate along with their score cards.

10. CONTACT

Institution Address : SRM School of Law
SRM University
SRM Nagar, Kattankulathur – 603 203
Kancheepuram District
Tamilnadu
044- 27455819
nmcc.2016@srmuniv.ac.in

Faculty Coordinator : Ms.M.Brinda Karthikeyan
Assistant Professor
97907 07384

Student Coordinators: S.Kiran Kumar - 98408 24311
Prapti Mehta - 99622 89463
S.Nandhini - 74010 52712
K.Saishruthi - 99628 41432

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*1st Annual Rationibus Jure Moot Court Competition, 2016
11th – 13th March 2016*

REGISTRATION FORM

Date: _____

INSTITUTION DETAILS

Name :
Address :
Contact No :
E-Mail Id :
Faculty In Charge :
Designation :

PARTICIPANTS' DETAILS

Name of the Speaker 1 :
Year and Course :
Contact No :
Email Id :

Affix Photo

Name of the Speaker 2 :
Year and Course :
Contact No :
Email Id :

Affix Photo

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Name of the Researcher :
Year and Course :
Contact No :
Email Id :

Affix Photo

DEMAND DRAFT DETAILS

Name of the Bank :
Branch :
Demand Draft No :
Date :

DECLARATION:

We, affirm that all the information provided in the registration form is true. Further, we declare that the institution and its team members will abide by all the rules and regulations as notified throughout the period of competition.

(Signature – Speaker 1)

(Signature – Speaker 2)

(Signature – Researcher)

(Faculty – In – Charge)

(Head of the Institution with Seal)

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TRAVEL FORM

Name of the Institution:

Travel Mode : **Bus / Train / Flight**

Travel Details : **No:_____**

Arrival Time : _____

Departure Time : _____

Accommodation Needed: **Yes / No**

Any other Details :

(Sign and Seal of the Head of the Institution)