



# **BISHOP COTTON WOMEN'S CHRISTIAN LAW COLLEGE**

**7<sup>TH</sup> NATIONAL MOOT COURT COMPETITION - 2019**

**“PRUDENTIA CONSCIENTIA  
INGENIUM OCCURSUS”**

**(WISDOM, KNOWLEDGE AND TALENT MEET)**

**MAY 03 - 05, 2019**



## ABOUT US

Bishop Cotton Women's Christian Law College is one of the prestigious Law institutions in India offering five year undergraduate B.B.A., LL.B (5 years) and LL.B (3 years) degree programmes in Law and has grown enormously in the past 16 years. It is the only Law College in Bengaluru imparting legal education exclusively for women which was inaugurated on 14<sup>th</sup> July, 2002. The college is recognized by the Government of Karnataka approved by the Bar Council of India and is affiliated to the Karnataka State Law University, Hubballi. In keeping with the cultural heritage, students are trained to work hard, stick to discipline, aim to achieve the highest and march on to conquer the whole world as good leaders. Bishop Cotton Women's Christian Law College is the right place for those who aspire for a "Versatile Experience, Wide Knowledge and Good Scholarship".



## THE COLLEGE SHIELD AND CREST

The Emblem of the college is the Crest of Bishop Cotton of Calcutta. The Crest is divided vertically down the centre. The right of the shield is called the Dexter and the left, the Sinister. At the left of the Crest are found the arm of Bishopric of Calcutta, namely, the Bishop's staff and the open Bible. The right side of the Crest contains the arms of the ancient house of Combermere in England to which Bishop Cotton belonged. The white figures of '8' like shapes represent skeins of Cotton. The inverted part is Chevron which is supposed to represent the gable of a house which was usually granted to a family of distinguished service in a siege.

## COLLEGE MOTTO

### **“NEC DEXTRORSUM NEC SINISTRORSUM”**

This Latin expression means “neither to the right nor to the left.” The Prophet Moses commanded the Israelites not to deviate from the Law of God with the same words (Deuteronomy 5:32). This commandment was given to Joshua (Joshua 1:7) by God himself when he was given charge to take up the leadership after Moses. This commandment in general was given to all people as we find the words in the Book of Proverbs (Proverbs 4:27). This depicts Steadiness, Steadfastness and Straight forwardness.



## MOOT PROPOSITION

1. Artificial Intelligence (AI) is a revolutionary and emerging technological advancement that has captured the imagination of the world. AI is not made just for gathering information, but have the ability to use the data gathered to compute certain logical tasks, conclusions etc., based on learned behaviour. Oxford dictionary has defined, “artificial intelligence as a computer system which is able to perform tasks which normally requires human intelligence”. In layman’s term, artificial intelligence is a powerful technology that has the capacity to mimic human intelligence. The primary goal of AI is to enable innovation, minimize human labour and augment human capability to hitherto unimagined extent. Another addition to this surge in technology in our daily lives is Internet of Things (IoT). IoT is the networking of physical objects that contain electronics embedded within their architecture in order to communicate and sense interactions amongst each other or with respect to the external environment. Google has recently acquired many of the budding IoT innovator companies, like Flutter, Boston Dynamics and Nest. Keeping aside its operational and economic aftermath, the acquisitions have definitely changed the way corporations have started looking at IoT and its future.



2. With most of the apps on smartphones not needing a sign in, and many people saving their login information for Amazon, Facebook, PayPal, or their mobile wallet ready for next time, vulnerability to cyber frauds has increased. In the absence of a specific phone locking system, if a mobile device is lost/stolen, a fraudster is basically given free access to a victim's bank account to go on a spending spree. With the proliferation of e-commerce, mobile devices and security enhancements, mobile payments are certain to increase and likely, surpass traditional payment methods in the next few years. Likewise, fraud remains a risk, for the mobile payment providers as well as the consumers, need to be aware off and take measures against. The Serious Fraud Investigation Office has recently said that around 70 percent of the frauds recorded in 2016-17 included a cyber element, compared to approximately 40 percent, five years ago. It is being argued by many who believe IoT has the potential to be a disruptive technology, that enthusiasm shown to IoT must be curtailed till a solution is reached to protect the consumers' privacy.
3. Despite its many risks, AI technology has been understood as not some immovable object, but rather, as the right interaction between computer science, government, and society. At large, it will help shape the development of new technology to address the societal needs. As products like Alexa, Siri and Google Assistant enter the



PERPETUA, one of the biggest consumer markets in the world, the risks of IoT are pushing their way into the Perpetuain homes along with their conveniences. People's voices, faces, movements, thermal prints are no longer their own. Having a facial recognition software in electronic devices containing artificial intelligence are now as ubiquitous as the humble pressure cooker is in the Perpetuain kitchen.

4. On 30<sup>th</sup> January, 2018 a social media trend with the hashtag “#10yearchallenge” started picking up momentum. A user would post a picture from 2008 along with one from 2018 and post it using the #10yearchallenge hashtag. Companies in the field of IoT and social media are allegedly using this data to improve their facial recognition software.
5. Anna is a 3<sup>rd</sup> year law student, studying in one of the metropolitan city called ETERNIA and lives with her 70-year-old grandmother. She is a tech savvy girl using all social media platforms which are trending and popular, eg – Instagram, Twitter, Facebook and many others. She along with her friends also participated in the trending hashtag and posted her pictures on the social media platforms and it became one of her most liked posts on her Facebook account.
6. By May, 2018, *Facebook-Cambridge Analytica Data Breach case*, had taken centre stage on social media platforms. Privacy conscious users like Anna and her friends deleted their account from all the



social media websites like Twitter, Instagram and Facebook in order to protect their privacy.

7. On 1<sup>st</sup> July, 2018, the *Personal Data Protection Bill, 2018*, was introduced in the Parliament of PERPETUA. By 1<sup>st</sup> November, 2018, it received the President's assent and became the *Personal Data Protection Act, 2018*.
8. On their Diwali visit to PERPETUA from the US, Anna's parents installed Google Assistant in her home in ETERNIA in order to make life more convenient for Anna's grandmother who has very less mobility. The artificial intelligence assistant is linked with the security system of the house, air conditioning, landline phone connection, wifi broadband, Anna's iPhone X mobile phone and many other home appliances.
9. To increase the security, Anna has linked her house security system with facial recognition software which would only open the house on the command of her face. On 31<sup>st</sup> December, 2018 while Anna was out with her friends in a New Year party, she received a notification on her phone that her house has been broken into. At that time, her grandmother was alone at home. She hurriedly rushed back home to find her house door wide open and her grandmother sleeping peacefully in her room. She did a quick search of the house and realized that nothing had been stolen from the house. Worried about



her personal data protection, she called her parents and they have contacted your law firm to help her.

10. Your law firm filed a request before the Data Protection Authority of PERPETUA to conduct an inquiry against Facebook. The Authority refused to conduct an inquiry on the ground that Facebook is not a ‘data fiduciary’ according to the *Personal Data Protection Act, 2018*. Aggrieved by this, you have approached the Appellate Tribunal established under Section 79 of the Act.
11. The matter has been posted for hearing. The issues identified, but not limited to, are:
  - i. Whether PERPETUIAN Courts have the jurisdiction to adjudicate this matter?
  - ii. Whether social media companies are liable to protect Anna’s sensitive data after deletion of her account?
  - iii. Whether the companies have breached their obligation to protect Anna’s sensitive personal data?



**BISHOP COTTON WOMEN'S CHRISTIAN LAW COLLEGE, BENGALURU**  
**SEVENTH NATIONAL MOOT COURT COMPETITION, 2019**

**3<sup>rd</sup> to 5<sup>th</sup> MAY, 2019**

**PRUDENTIA CONSCIENTIA INGENIUM OCCURSUM**

**(Knowledge, Wisdom and Talent Meet)**

**RULES**

**1. ELIGIBILITY CRITERIA**

- 1.1. The Competition is open to all students presently pursuing LL.B. course (5 years or 3 years) from any Institution/College/University recognized by the Bar Council of India.
- 1.2. Students enrolled in postgraduate or diploma programmes shall not be eligible to participate in this Competition.
- 1.3. The Team shall comprise of three members of which two shall be designated as Speakers and the third member shall be the Researcher.

**2. REGISTRATION AND CONFIRMATION**

- 2.1. Each Team shall register itself by sending a duly filled in Registration Form along with the required Demand Draft of Rs.2,500/- (Rupees Two Thousand Five Hundred only) drawn in favour of “**BISHOP COTTON WOMEN'S CHRISTIAN LAW COLLEGE, BENGALURU**”.
- 2.2. The scanned copy of the Registration Form shall be sent to [bcwclc.moot2k19@gmail.com](mailto:bcwclc.moot2k19@gmail.com) by **22<sup>nd</sup> March, 2019**, and a hard copy of the form shall reach the Organizers by **25<sup>th</sup> March, 2019**, via Registered Post with Acknowledgement Due. The confirmation of accommodation need be made by outstation teams by 22<sup>nd</sup> March, 2019, failing which the teams need to make their own arrangements.
- 2.3. Once registered, the registration fee shall neither be refunded nor waived. **Only 20 Teams** on the basis of first come first serve shall be registered. However, the Organizers shall reserve the discretion to increase the number of teams.
- 2.4. Organizers will confirm registration of the teams via-e-mail.

**3. DRESS CODE**

- 3.1. Male Participants shall wear a full suit – comprising of a black formal blazer and trousers, full sleeved white shirt and formal footwear.
- 3.2. Female Participants shall wear Western or Indian formals with blazers and formal footwear.



#### 4. MISCELLANEOUS

- 4.1. The policies and laws of the State of the Perpetua are in *pari materia* with the laws and policies of the State of India.
- 4.2. The Teams shall take the facts of the Moot Problem as final and no clarifications concerning the same shall be entertained.
- 4.3. Language: The Language for this Competition shall be in English (for all rounds).
- 4.4. The registered Participants shall maintain discipline throughout the Competition. Any breach of the same may lead to disqualification of the team from the Competition. The decision of the Organizers in this regard shall be final.

#### 5. MEMORIAL

- 5.1. Each Team shall prepare Memorials in support of both the Appellant and the Respondent. Soft Copies of the Memorials shall be in pdf format titled “*Team Code-A*” (for the Appellant) and “*Team Code-R*” (for the Respondent) which shall be mailed to [bcwclc.moot2k19@gmail.com](mailto:bcwclc.moot2k19@gmail.com) not later than **11:59 pm on 10<sup>th</sup> of April, 2019**, beyond which no Memorials shall be entertained.
- 5.2. Each participating Team shall be allotted a ‘Team Code’ by the Organizers, which shall be mentioned on the Cover Page of the Memorials of the Appellant and Respondent. For example, if the assigned Team Code is 99, the Team shall title the Memorial as “99-A” and “99-R” respectively.
- 5.3. Two (2) Hard Copies of each of the Memorials for the Appellant and the Respondent shall reach the Organizers not later than **20<sup>th</sup> of April, 2019**, beyond which no Memorials shall be entertained.
- 5.4. In addition, six (6) Hard Copies of the Memorials for both the sides shall be submitted on **3<sup>rd</sup> May, 2019**, at the time of orientation.
- 5.5. The Hard Copies of the Memorials shall bear a cover page in conformity with the following scheme: Appellant- Blue; Respondent- Red.
- 5.6. Teams shall cite authorities in the Memorials using footnotes following the Harvard Bluebook (19<sup>th</sup> Edition).
- 5.7. Once the Memorials are submitted, no additions, modifications, supplements, etc., shall be entertained.
- 5.8. The Cover Page of each Memorial shall contain the following information:
  - a) The Team Code in the upper right hand corner shall be in compliance with Rule 5.2.
  - b) Name of the Tribunal resolving the dispute;
  - c) Year of the Competition;
  - d) Name of the Case; and
  - e) The party for which the Memorial has been prepared.



- 5.9. The Memorials shall contain the following: Cover Page; Table of Contents; Table of Cases; List of Abbreviations; Index of Authorities (only Statutes, International Instruments or Constitutional Law); Statement of Jurisdiction; Statement of Facts (not exceeding 2 pages); Issues Raised; Summary of Arguments (not exceeding 2 pages); Arguments Advanced (not exceeding 20 pages); Prayer (not exceeding 1 page); Bibliography (list of Books and Articles) and Weblibliography (URLs and Websites).
- 5.10. All the contents of the Memorial (including the preliminary pages) shall be typed on 'A4 sheets'. The Font shall be "Times New Roman" and in addition, the Participants shall adhere to the following specifications: Font Size: 12; Line Spacing: 1.5; Headings: 14; Body of Text: Justified.
- 5.11. For Footnotes, the formatting specifications are: Font type: Times New Roman; Font Size: 10; Single Spacing; Paragraph Spacing: 0; and the Body of the Text: Justified.
- 5.12. The fixtures shall be determined by the draw of lots and there shall be exchange of Memorials between the respective opposing Teams prior to the Quarter-Final, Semi-final and Final Rounds.

## 6. ANONYMITY OF TEAMS

- 6.1. The Teams shall not reveal their identity throughout the Competition in any form, except by means of the Team Code allotted to them.
- 6.2. The Memorials and materials presented to the Bench shall not reveal the identity of the Team in any form and should not bear the logo, name etc., of the Institution/College/University represented.

## 7. PENALTY

- 7.1. Any Memorial violating any of the above mentioned specifications shall be penalized according to the scheme as follows :

Sl. No.	Scheme of Deduction	Marks Deducted
1.	Failure to comply with Rule 5.4	1 mark per side
2.	Failure to comply with Rule 5.5	1 mark per every violation
3.	Failure to comply with Rule 5.7	1 mark per every violation
4.	Failure to comply with Rule 5.8, 5.9 and 5.10	1 mark per every violation upto a maximum deduction of 5 marks
5.	Failure to comply with Rule 6	1 mark for every disclosure of identity

- 7.2. Any decision of the Organizers regarding the deductions shall be final and the same is not open to challenge.



## 8. PRELIMINARY ROUNDS

- 8.1. Each Team shall argue twice in the Preliminary Rounds, once for Appellant and once for the Respondent.
- 8.2. **Oral Arguments:** Each Preliminary Round shall consist of Sixty (60) minutes of arguments.
- 8.3. Each Team shall allocate its 30 minutes between the two Speakers, each Speaker having 15 minutes.
- 8.4. The top 8 teams based on their scores shall advance to the Quarter-Final Rounds.
- 8.5. In case of a tie, the team's Memorial marks shall be added to the scores of the Oral Rounds and consequently, the Team with higher marks shall progress to the Quarter-Final Rounds.
- 8.6. If the tie persists then it shall be broken by flipping of a coin.
- 8.7. The detailed breakup of **marking criteria** are as follows:

Sl. No.	Criteria	Marks
1.	Knowledge of Facts	10
2.	Advocacy Skills and Court Manners	10
3.	Knowledge of Law, Precedents and Legal Principles	10
4.	Articulation, Analysis and Presentation of Arguments	15
5.	Interpretation and Application of Law	10
6.	Persuasiveness and Reasoning	10
7.	Ability to Answer Questions	10
8.	Time Management and Organization	10
9.	Ingenuity and Wit	10
10.	Overall Impression	05

## 9. QUARTER-FINAL ROUNDS

- 9.1. The timing rules governing the Preliminary Rounds shall be applicable to the Quarter-Final Rounds.
- 9.2. The marking criteria of these rounds shall be as per Rule 8.7.
- 9.3. By means of knock-out, Four (4) teams shall advance to the Semi-Final Rounds.

## 10. SEMI-FINAL ROUNDS

- 10.1. Each Semi-Final Round shall consist of 90 minutes of arguments.
- 10.2. Each Team shall get a total time of 45 minutes to present their arguments.



10.3. Each Speaker shall get a maximum of 22.5 minutes to present the case, which shall include the time for rebuttal/sur-rebuttal, as the case may be, and the same may be allowed at the judges' discretion.

10.4. The marking criteria of the Semi-Final Rounds shall be as per Rule 8.7.

10.5. By means of knock-out, Two (2) teams shall advance to the Final Round.

## 11. FINAL ROUND

11.1. The timing rules governing the Semi-Final Rounds shall be applicable to the Final Round and the marking criteria shall be as per Rule 8.7.

## 12. PRIZES

Champion Team  
Runners-Up  
Best Memorials  
Best Student Counsel (Male)  
Best Student Counsel (Female)  
Promising Advocate Award

## 13. FOOD AND ACCOMMODATION

13.1. The Participants (2 Speakers and 1 Researcher) will be provided food on all days of the Competition. Accommodation will be provided only to the Participants **coming from outside Bengaluru**, from **3<sup>rd</sup> to 5<sup>th</sup> May, 2019**, till 9 p.m. The confirmation of accommodation need be made by outstation Teams while submitting the provisional Online Registration Form on **22<sup>nd</sup> March**, failing which the Teams need to make their own arrangements.

13.2. Teams arriving by flight, train or bus shall arrange their own transportation to the Venue of the Competition.

13.3. The Organizers shall not bear travel expenses of the Participants.

13.4. The Campus and the Place of Accommodation is not only eco-friendly but also compliant with **Swachh Bharat** initiative undertaken by the Government of India. Thus, the Participants shall cooperate with the Organizers in keeping the Place of Accommodation and Campus clean at all times by discarding wastes in appropriate dustbins.

13.5. The Place of Accommodation, Venue of the Competition, as well as any fixtures or furniture belonging to the Organizing Institution shall not be polluted, destroyed or damaged by the Participants and any breach in this regard shall attract penalty as decided by the Organizers.



## CONTACT DETAILS

### Postal Address

The BCWCLC Moot Court Society,  
Organising Committee,  
Bishop Cotton Women's Christian Law College,  
#19, 3<sup>rd</sup> Cross, C.S.I. Compound,  
Mission Road, Bengaluru-560027.  
Telephone: +91 80 22121898

### FACULTY CONVENORS

Smt. Indirani K.S. : +91 9449506030  
Smt. Nalina N. : +91 7892872219

### STUDENT CONVENORS

Ms. Reejhaa M. : + 91 9962724806  
Ms. Vani Priyamwada : + 91 8660084464  
Ms. Gouthami G. : + 91 7022221599  
Ms. K. Amrutha Ranjani : + 91 7899015553  
Ms. Blessy Sudharshan : + 91 9742780969

## KEY DATES

Sl. No	Registration, Submission and Rounds of the Competition	Dates
1.	Last date for provisional Online Registration. Request for accommodation by outstation teams need to be made, failing which the Participants need to make their own arrangements.	22 <sup>nd</sup> March, 2019.
2.	Last date for submission of the filled in Registration Form (hard copy).	25 <sup>th</sup> March, 2019.
3.	Last date for online submission of Soft Copies of the Memorials.	10 <sup>th</sup> April, 2019.
4.	Last date for submission of two Hard Copies of each side of the Memorials along with the duly filled in Travel Form.	20 <sup>th</sup> April, 2019.
5.	Inauguration of the 7 <sup>th</sup> BCWCLC National Moot Court Competition.	3 <sup>rd</sup> May, 2019.
6.	Preliminary Rounds and Quarter-Final Rounds of the Moot Court Competition.	4 <sup>th</sup> May, 2019.
7.	Semi-Final Rounds, Final Round and Valedictory Function of the Competition.	5 <sup>th</sup> May, 2019.

**BISHOP COTTON WOMEN'S CHRISTIAN LAW COLLEGE, BENGALURU**

**SEVENTH NATIONAL MOOT COURT COMPETITION, 2019**

**3<sup>RD</sup> - 5<sup>TH</sup> MAY, 2019**

**REGISTRATION FORM**

Institution Details -Name of the College / University -

Address -

City -

State -

Pin Code -

**Contact Information**

Name of the Faculty In charge -

Email address -

Telephone Number -

**Team Details**

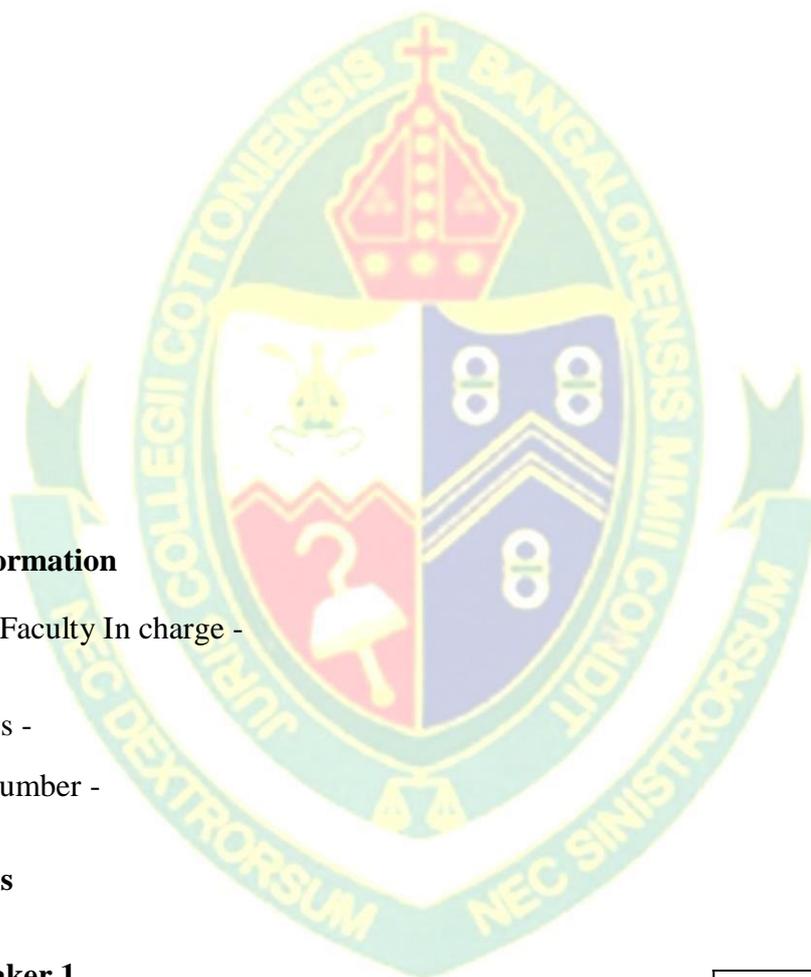
**Name - Speaker 1**

Semester / Year / Course -

Email Address -

Phone No -

Gender -



**Name - Speaker 2**

Semester / Year / Course -

Email Address -

Phone No -

Gender -

**Name of the Researcher**

Semester / Year / Course -

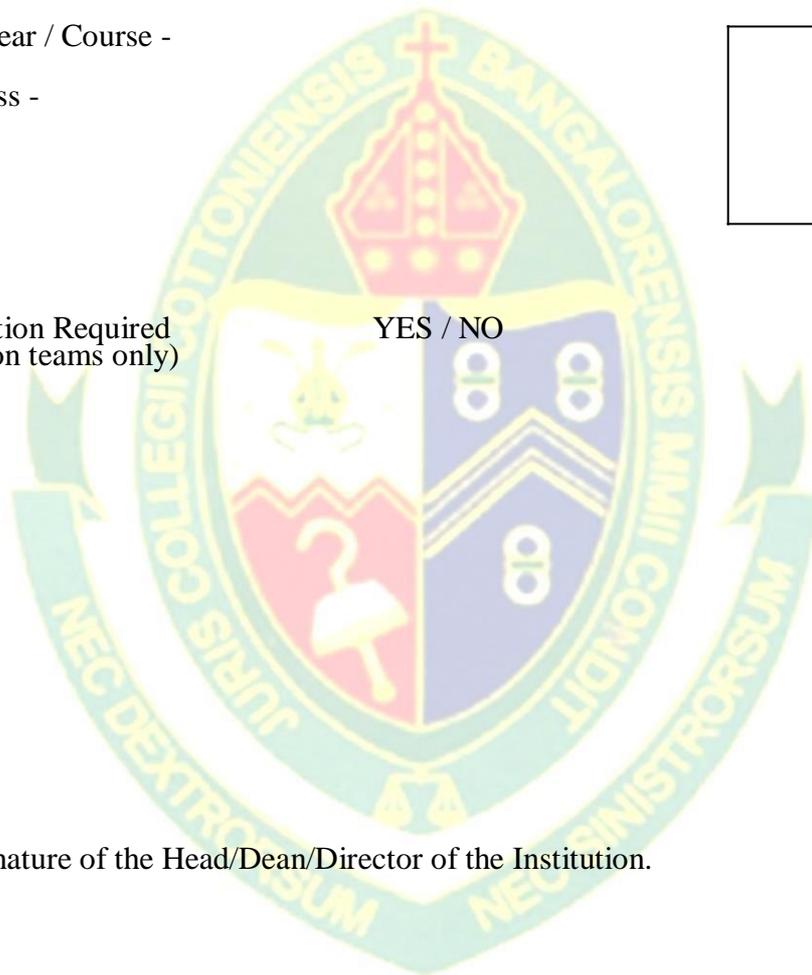
Email Address -

Phone No -

Gender -

Accommodation Required  
(For outstation teams only)

YES / NO



Seal and Signature of the Head/Dean/Director of the Institution.

# TRAVEL PLAN

(Applicable to outstation teams only)

1. Name of the Institution -

2. Arrival Details

- a) Mode of Arrival - Train/ Air/ Bus
- b) Train no./ Flight no./ Bus no
- c) Date & Estimated Time of Arrival

3. Departure Details

- a) Mode of Departure - Train/ Air/ Bus
- b) Train no./ Flight no./ Bus no
- c) Date & Estimated Time of Departure

4. Any other Details

