

#GrowWithGoenka



GD Goenka University
**School
of Law**

**2nd GDGU International
Virtual Law and Technology
Moot Court Competition 2021**
In association with
Cyber Law University
August 28 -29, 2021

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August 28 -29, 2021



GD Goenka University
**School
of Law**

2nd GDGU International Virtual Law and Technology Moot Court Competition 2021

In association with

Cyber Law University

Important Dates

Last date to seek clarification

August 10, 2021 (11:59 pm IST)

Clarification release

August 15, 2021 (11:59 pm IST)

Last date of memorial Submission

August 21, 2021 (11:59 pm IST)



84331 91400 - Shrishti Bansal

70171 83604 - Ayush Gupta

Registration fee
of ₹ 999/- for
Indian teams
& 11\$ for
Foreign teams

Prizes worth
around
₹ 5 Lakh
(6700\$) in kind
and Cash

LETTER OF INVITATION

To,

The Registrar/Dean/Principal/HOD,

It is our immense privilege to host second edition of *GDGU International Virtual Law and Technology Moot Court Competition*, from 28th -29th August, 2021. The Moot Court Competition is proposed to be organised with the joint collaboration of GD Goenka University and Cyberlaw University and has a highly coveted and prestigious value for the legal profession. It promises to hone the advocacy skills of the participants with its challenging and interesting moot proposition throughout the legal spectrum. The proposition has been drafted to test the approach of participants towards the ever-emerging field of *technology law*. With the imposition of multiple lockdowns, we have realised our dependence and reliance on Technology, subsequently, it is of high importance to acquaint ourselves with the extensive discussion and deliberation on this dynamic area of law.

In the previous year, GD Goenka University successfully organized multiple editions of “GD Goenka - CIArb (India) International Virtual Commercial Arbitration Competition, Client Counselling Competition, Virtual Moot Court Competition. This has marked GD Goenka University presence in successfully organising various international competitions virtually even during the adverse time of Covid-19.

GD Goenka University in association with Cyber Law University is pleased to invite your institution and assure you of our impeccable record as regard with our professionalism and hospitality. You would be pleased to know we are offering Prizes worth around **INR 5 Lakh (USD 6700)**.

Please find attached the brochure which contains about the institution, moot court competition, rules and regulations, moot proposition, other necessary details.

We look forward to your institution’s gracious presence.

With best Repute,

Dr Tabrez Ahmad

Vice Chancellor, GD Goenka University, and

Dean, School of Law

Delhi NCR

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ABOUT GD GOENKA UNIVERSITY

The G. D. Goenka Group is a leading educational setup driven by a passion for excellence in education and quality in life, where Globalization and Internationalization are the buzz words. With 26 years of excellence in the field of education, GD Goenka Group has come a long way since its first school in 1994.



The GD Goenka Education City is set on 60 acres with the ancient and picturesque Aravalli hills for a backdrop. The GD Goenka University is guided by the philosophy that new thinking in the areas of teaching, learning, research and training are pivotal to making students tomorrow's leaders and giving them a world view.

With unswerving focus on providing quality education, GD Goenka University has engaged the best faculty to guide students, engage their minds and raise their horizon. The University has the best of facilities, equipment including laboratories, dedicated video conference facilities, virtual learning facilities and fully equipped conference rooms. These are all designed to extract the best and most creative qualities from the students. To afford quality education to students, which are along the lines of best of international standards, the University follows an inter-disciplinary approach to education whereby students are encouraged to learn subjects from various disciplines at GDGU. A global connection via a truly international educational institution.

ABOUT THE COMPETITION

With an objective to raise the standards of Clinical Legal Education in India, the GD Goenka University, School of Law announces 2nd GDGU International Virtual Law and Technology Moot Court Competition, 2021 in association with Cyber Law University, on 28th & 29th August, 2021.

Moot Court Competitions, which is a mandatory part of law curriculum in our law school offers a practical and application-based approach to learning of law. It gives the law students, the necessary free space to interpret and analyse legal provisions in the context of a given legal regime, while trying to solve a practical problem. The GDGU School of Law is dedicated to promote this aspect of legal training for ensuring a wholesome legal education and the GD Goenka Virtual moot Competition is an endeavour of the School of Law in this direction.

2nd GDGU International Virtual Law and Technology Moot Court Competition, 2021 in association with Cyber Law University is about technology law. Technology law focuses on intellectual property rights, a complex branch of the legal system that deals with disputes over who 'owns' intangible 'property', such as creative works, patents, copyrights, and trade secrets. Technology law helps protect the creatives who come up with these ideas and also ensures rights concerning the distribution of their work.

CHAIRMAN & PATRON- Dr TABREZ AHMAD

- Dr Tabrez Ahmad holds a PhD (Cyber Law & IPR), LLM (Commercial Law & Cyber Law); and B.Sc (Combined Hons) (Zoology, Botany & Chemistry) from the Aligarh Muslim University, Aligarh, India. He has expertise in the area of cyber law, intellectual property rights, energy law, and jurisprudence with a background in commercial law. He has taught these subjects for nearly 20 years at universities such as the W.B. National University of Juridical Sciences (Kolkata), KIIT University (Bhubaneswar), Alliance University (Bengaluru), University of Petroleum and Energy Studies (Dehradun), and Galgotias University (Greater Noida).
- Dr Tabrez is founder president Technolex and National President PNGI. He is also the National Vice President of International Council of Jurists London, and Chair, Legal Education Section of Indian National Bar Association. He is in the advisory panel of various academic and professional institutions of international repute.
- In his substantive position as the Vice Chancellor of GD Goenka University, Dr Tabrez Ahmad promotes academic and professional excellence and nurtures empathy to socio-cultural, economic and gender diversity; creating of an ecosystem that is devoid of workplace bullying; fosters the creation of a trusting, non-hierarchical and collegial work culture that stresses meritocracy and a passion for academic excellence; foster changes that develop the University's goals of achieving best-in-class teaching and learning practices, quality and intensity of research endeavours, International teaching and research collaborations and valuable partnerships with the community and other stakeholders; and operationalise the University's vision to become the best option for students, scholars, faculty, administrative staff, the recruiting Industry and professional bodies.



PATRON- Dr PAVAN DUGGAL

Dr Pavan Duggal is an advocate from India, specialized in the field of cyberlaw and e-commerce law. He is also a member of NOMCOM Committee on Multilingual Internet Names Consortium (MINC). Pavan's was for some time a recognized face as an English newsreader with the Indian state-run television network Doordarshan.

Dr Pavan Duggal is the Conference Director of the International Conference on Cyberlaw, Cybercrime & Cybersecurity organized by cyberlaws.net. Dr Pavan Duggal is the Chairman of the International Commission on Cyber Security Law a founder of the Cyberlaw University.

He has been a member of number of committees namely:

- Permanent Monitoring Panel (PMP) on Information Security, established by World Federation of Scientists.
- The ICANN Nominating Committee representing the Asia Pacific region, 2003 and 2004.
- Membership Advisory Committee of The Internet Corporation for Assigned Names and Numbers (ICANN).



CYBERLAW UNIVERSITY

While there has been some effort done to create more awareness about Cyberlaw through different initiatives, it was felt that there is a distinct need for an online University that is dedicated specifically and exclusively to all the legal issues pertaining to cyberspace and the Internet.

Herein lay the genesis of the origin of the idea of the Cyberlaw University. Cyberlaw University, as the name suggests, would be a unique university dedicated exclusively to Cyberlaw and related disciplines.



As Cyberlaw is the law pertaining to cyberspace and the Internet, it is only in the fitness of things that Cyberlaw University operates in cyberspace as an online University.

Cyberlaw University is in touch with various universities and we are in the process of forming professional relationships with different academic institutions and universities. In the times to come, the goal of Cyberlaw University is to become one common central point for not just the growth of Cyberlaw jurisprudence across the world but also for disseminating knowledge about the constantly changing cyber legal trends impacting the use of computers, computer systems, computer networks, communication devices as also data and information in the electronic form.

Given the ever-evolving nature of the Internet, legal issues of cyberspace have developed rapidly.



RULES & REGULATIONS

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CHAPTER I

- 1. SHORT TITLE AND COMMENCEMENT:** These rules may be called “2nd GDGU International Virtual Law and Technology Moot Court Competition,2021 in association with Cyber Law University or IVLMT,2021”
 - 1.1** They shall come in to force from the date of publication, on the official website of School of Law, GD Goenka University, Gurugram <http://www.gdgoenkamootcourt.com/>
 - 1.2** The rules are reviewed annually and are subject to change. Reliance should be placed only on “IVLMT,2021” and not on any previously applicable rules.
- 2. DEFINITIONS:** In these rules, unless otherwise stated, a reference to a rule is reference to that rule in “IVLMT, 2021” and reference to a form is a reference to that form attached in the “IVLMT, 2021” as the case may be. In these rules, unless the context otherwise requires:
 - 2.1.** “Bench” refers to the members duly invited by the institute, to adjudge any of the rounds, Virtually;
 - 2.2.** “Clarifications” means explanation published by the institute on the moot problem, at any point of time of the competition or a query posed by any competing team within the given deadline;
 - 2.3.** “Competition” means the 2nd GDGU International Virtual Law and Technology Moot Court Competition, 2021 in association with Cyber Law University;
 - 2.4.** “Governing Council” means the student-faculty-staff body appointed for the administration and smooth conduct of the competition, including all other members conferred with powers on ad-hoc basis by the “Ex-officio Chairperson' or Faculty In – charge” of the Moot Court Association of School of Law, GD Goenka University;
 - 2.5.** “Institution” means and includes “School of Law, GD Goenka University, Gurugram”;
 - 2.6.** “Memorial Round” refers to the assessment of memorials, submitted by teams, on the predefined criterion, hereinafter mentioned in these rules;
 - 2.7.** “Moot Problem” means a set of facts published by the institution for competition;
 - 2.8.** “Oral Round” refers to the oral pleadings made by the teams virtually, either by submission of audio-visuals or video-conferencing before the bench as per the requirements of the rounds for assessment, including time given for rebuttal;
 - 2.9.** “Team Code” means a unique code assigned by the institution to the applied and registered team;

2.10. “Team” means and includes only bona fide representatives of any University, may that be state, central or International or any other department recognized/authorized to impart law degrees, and who have applied and registered for the competition by complying with the procedure prescribed in these present rules;

3. INTERPRETATION: The Governing Council reserves the right to interpret the rules as it deems fit in order to ensure fairness and equality in the competition. Any such interpretation shall be conclusive and the decision of the Governing Council for the application of the rules shall be final and binding.

3.1 The Governing Council may also amend, modify, change or repeal any rule from the same shall be communicated “IVLMT,2021” to the teams in due time. In case of any conflict, the decision of the Governing Council shall be final and binding.

IMPORTANT DATES

Registration opening from	30 th June, 2021
Final date of Registration	21 st August, 2021
Clarification questions to be submitted by	10 th August, 2021
Clarifications released by	15 th August, 2021
Memorial Submission	21 st August, 2021
Competition Dates	28 th & 29 th August, 2021

CHAPTER II

1. ELIGIBILITY:

- 1.1 Students duly enrolled and pursuing full time 5 years or 3 years undergraduate law course from India or from a foreign university with law as major may apply to participate in 2nd GDGU International Virtual Law and Technology Moot Court Competition, 2021 in association with Cyber Law University.
- 1.2 Students enrolled and pursuing post-graduate diploma or short-term certificate courses in law is not eligible to apply.

2. TEAM COMPOSITION:

- 2.1 A team shall consist of maximum three members that must include two Speakers and one researcher.
- 2.2 Any team, intending to change the team composition of the team shall intimate the Governing Council by sending an e-mail at mootcourt@gdgoenka.ac.in, the change will be allowed on discretion of the Governing Council.
- 2.3 Any person, other than three registered team members, is not eligible to join the video-conferencing or the audio-video recording of the oral rounds, and non-compliance is a ground for disqualification.
- 2.4 The Researcher may be permitted to argue as Speaker in case any unforeseen event.
- 2.5 Prior permission of the organizers of competition in such case shall be mandatory. In case the team fails to inform the university, decision will be final.

3. REGISTRATION

3.1 General

- 3.1.1 Each team shall register to 2nd GDGU International Virtual Law and Technology Moot Court Competition, 2021 in association with Cyber Law University by filing registration form, in the prescribed manner by 21st August, 2021.
- 3.1.2 Registration form: <https://forms.gle/QhoHXhsUnN1yW9gw7>
- 3.1.3 On receipt of the duly filled registration form the institute shall respond to the participating team, acknowledging the receipt.

3.1.4 After the deadline for the registration expires, the Governing Council shall respond to each registered team, as specified under clause 3.1.1, with a unique team code, which shall be used to identify the teams during the competition.

3.2 Registration Fee:

3.2.1 The registration fee for the competition is Rs. 999/- for Indian Teams and 11\$ for International Teams.

3.2.2 The registration fee for the 2nd GDGU International Virtual Law & Technology Moot Court Competition, 2021 in association with Cyber Law University. is to be paid through NEFT transfer. No other payment method shall be accepted.

3.2.3 Any additional charges incurred by the team while making the wire transfer are to be borne by the team.

3.2.4 Payment Details

Name of Beneficiary: G.D. Goenka University

Name of Bank: HDFC Bank

Address: Site No. 2, OCF Pocket, Sector – C, Vasant Kunj, New Delhi- 110070, India

S.B A/c No.: 02731450000270

RTGS/ IFS Code No.: HDFC0000273

Fax No.: 0124-3315936

MICR Code: 110240034

E Mail: accountsgdgu@gdgoenka.ac.in

3.3 Completion of Registration Process:

3.3.1 All teams must upload a scanned copy of the receipt generated on completion of the NEFT transfer on the Registration Form. The receipt must contain the reference number after the completion of the wire transfer of the registration fees.

3.3.2 Registration to 2nd GDGU International Virtual Law and Technology Moot Court Competition, 2021 in association with Cyber Law University shall be deemed to be confirmed only on completion of all the formalities as specified under clause 3.3.1, any failure, may be treated as withdrawal from the competition and no claim of what so ever nature shall be entertained thereafter.

4. CLARIFICATIONS:

- 4.1** Clarifications can be sought on any part of the moot proposition by 10th August, 2021. These clarifications are to be send via e-mail at mootcourt@gdgoenka.ac.in, clarifications will be released by 15th August, 2021.
- 4.2** It is at the discretion of the Governing Council to decide whether a clarification sought for is valid and to be clarified.

5. ANONYMITY OF TEAMS:

- 5.1** Teams shall not reveal their identity in any form during the Competition, except by the means of their Team Code allotted by the Governing Council.
- 5.2** Teams must not reveal the name of their institution or names of the participants, anywhere in the memorials or in the course of the virtual oral argument rounds, by any visual or audio means. Teams must also not make use of or display in any manner whatsoever any logo, pins, badges etc. that indicates the university represented by them.
- 5.3** Any material presented to the Panel, including but not limited to compendium, should be devoid of any identification mark(s)/seal(s) of the Team. If any such mark(s)/seal(s) exist, it must be rendered unrecognizable before being presented to the judges.
- 5.4** Any violation of Rules 5.1- 5.3 shall attract severe penalty or disqualification as determined by the Governing Council. The decision of the Governing Council in this regard shall be final and binding; not subject to challenge.

CHAPTER III

1. MEMORIALS AND MEMORIAL ROUND:

1.1. General:

1.1.1. Each team shall research into the domain of moot problem, subject to Rules 1.2.2-1.2.5, Chapter III, and prepare memorial from both sides, namely, Petitioner and Respondent as the case maybe.

1.2. Format of Memorial:

1.2.1. The memorials are to be submitted in the format prescribed under Rules 1.2.2- 1.2.4., Chapter III. If a team fails to comply with the given format, it may be penalized in the form of deductions from the memorial marks.

1.2.2. The memorials shall contain all of, and only, the following heads, namely-

- Cover Page (It shall include the team code of the team on upper right-hand corner, name of the case, parties on behalf of whom written submissions are made, name of the forum approached for dispute resolution and year. The Cover page of the memorial on behalf of Petitioner shall be in BLUE, and Respondent shall be in RED.
- Table of Contents
- List of Abbreviations
- Index of Authorities
- Statement of Jurisdiction
- Statement of Facts
- Issues Raised
- Summary of Arguments
- Arguments Advanced
- Prayer

1.2.3. Font and Spacing:

All written submissions shall be typed on A4 size paper in the following format in Times New Roman (font type), in 12 points (font size), line spacing 1.5, both sides Justified, and headings to be bold in the same font and size. Each page shall have 1- inch margin from each side.

1.2.4. The memorial shall not contain more than 20 pages excluding cover page, table of content, list of abbreviations and index.

1.2.5. Citations:

All teams shall give footnotes by adhering to Blue Book: A Uniform System of Citation (20th Edition).

1.2.6. Plagiarism:

The governing council reserves the right to disqualify a team, at any stage of the competition, if the memorial or any other part thereof, is found to be plagiarized.

2. SUBMISSION OF SOFTCOPIES:

2.1. Each registered team shall submit a soft copy in PDF format (.pdf) of the memorials from both sides, via submitting it on this link: <https://forms.gle/mmgmMk1TKzi6RMWr5> on or before 21st August, 2021.

2.2. Soft copies of the Memorials shall be submitted on the link and not on the mail, it will not be accepted there.

2.2.1. The name of the file containing the memorial from the petitioner/s side should be “IVLMT- 2XX P” (as the case maybe). The name of the file containing the respondent/s side should be “IVLMT- 2XX R”.

2.2.2. Submissions made after the specified deadline may lead to penalties in the form of deductions from the memorial marks. Every twenty-four (24) hours delay would attract a penalty of ten (10) marks.

3. ASSESSMENT OF MEMORIALS:

Each side of the memorials shall be assessed out of 100 marks, by a team of experts on the predetermined criterion, as specified hereunder:

- a.** Identification of Issues and Nature of relief sought (10 marks)
- b.** Knowledge of fact and Law (15 marks)
- c.** Use of Authorities/Precedents (20 marks)
- d.** Argumentation and Clarity of Thoughts (20 marks)
- e.** Proper Citation and Correct Format (15 marks)

- f. Grammar and Style Presentation (10 marks)
- g. Originality (10 marks)

4. RIGHTS OVER MEMORIALS

- 4.1.** The administrating authority of the competition reserves the rights to disseminate and produce the memorials as and when deemed necessary for the purpose of the competition. Submission of the memorials will constitute the team's consent to do the same. The Governing Council will not take any responsibility for the mistakes found in the final submission of the memorials.

5. COMPENDIUMS

- 5.1.** The teams are required to send their compendium, along with their memorials on <https://forms.gle/mmgmMk1TKzi6RMWr5>
- 5.2.** The compendium shall not exceed 5 pages, wherein, if the teams are referring to any books then the material of the book shall be quoted in following format “Name of the book/Author/Page number/Paragraph”, and if the teams are referring to any website, only link of the website shall be quoted.
- 5.3.** The compendium will be shared to the judges only via organizing committee and the participants shall refrain from using screen share.

CHAPTER IV

1. DRESS CODE:

1.1. The participants shall adhere to the following dress code while in the courtrooms:

- a.** Ladies: White shirt and black trousers or skirt along with a black blazer.
- b.** Gentlemen: White shirt, black trousers, a black tie, a black blazer and black shoes.

2. STRUCTURE OF THE COMPETITION:

2.1. GENERAL:

2.1.1. The formal commencement of the competition shall be on August 28th, 2021.

2.1.2. The competition shall have one Preliminary Rounds, one Quarter Final Round, one Semi Final Round and the Final Round which will be followed by the valedictory ceremony.

2.2. ORAL ROUND:

As per Rule 2.1.2, Chapter IV the Preliminary Rounds and Quarter-final round shall be held.

I. PRELIMINARY ROUNDS-

- a)** The rounds will be conducted virtually on video conferencing platform.
- b)** The Petitioners shall be allotted a total of 15 minutes to speak. The Respondent shall be allotted 15 minutes arguments. Any extension of time beyond the specified period shall not be allowed.
- c)** The division of time between the speakers is the discretion of the team members, subject to a maximum of 8 minutes for one speaker.
- d)** At the end of the preliminary rounds, the top 8 teams will qualify for the Quarter Finals. The top 8 teams will be selected on the basis of number of rounds won.
- e)** A team shall be credited with a win, if its total marks in the respective session are higher than those of its opponent teams.
- f)** In the case of a tie, the total marks of memorial and the preliminary rounds will be considered. The team with the higher score will advance to the Quarter Finals.
- g)** Kindly refer to Chapter V for more related rules.

II. QUARTER FINALS-

- a) The Quarter Finals will be Knock-out round. The top 4 teams, with the highest total scores in these rounds shall qualify for the semi-final rounds.
- b) The side to be represented by a team shall be determined by way of draw of lots with the teams picking the lots after the completion of the preliminary rounds.
- c) The rounds will be conducted virtually on video conferencing platform.
- d) Each team shall get a total time of 20 minutes to present their case and this shall include the time for 'rebuttal' and 'Surrebuttal'. Any extension of time beyond the specified period shall be subject to the discretion of the judges.
- e) The division of time between the speakers is the discretion of the team members, subject to a maximum of 12 minutes for one speaker.
- f) Before the commencement of the round, each team shall indicate to the 'Court Master' as to how they wish to allocate their time.
- g) Kindly refer to Chapter V for more related rules.

III. SEMI-FINALS-

- a) The Semi-Finals will be a knock-out round. The top 2 teams, with the highest total scores in these rounds shall qualify for the Final round.
- b) After the completion of quarter-finals rounds the draw of lots will be conducted which will determine whether the participant will appear as Petitioner or Respondent.
- c) Each team shall get a total of 25 minutes to present their case. This time will include the time for 'rebuttal' and 'Surrebuttal'. Any extension of time beyond the specified period shall be subject to the discretion of the judges. The division of time between the speakers is the discretion of the team members, subject to a maximum of 15 minutes for one speaker.
- d) Before the commencement of the round, each team shall indicate to the 'Court Master' as to how they wish to allocate their time.
- e) Kindly refer to Chapter V for more related rules.

IV. FINALS-

- a) The Final round will be held just after the Semi-Finals. A team will be credited with a win in the Final round if the total marks are higher than those of its opponent team.

- b) Each team shall get a total of 25 minutes to present their case. This time will include the time for 'rebuttal' and 'Surrebuttal'.
- c) The division of time between the speakers is the discretion of the team members, subject to a maximum of 15 minutes for one speaker.
- d) Before the commencement of the round, each team shall indicate to the 'Court Master' as to how they wish to allocate their time.
- e) Kindly refer to Chapter V for more related rules.

3. ASSESSMENT CRITERION FOR ORAL PLEADINGS:

Team performance of the Speakers shall be judged in all rounds out of 25 Marks on the basis of following criterion

- 3.1. Knowledge of the Facts and Laws
- 3.2. Application of Laws to the Fact and Interpretation
- 3.3. Argumentative Skills and Response to Questions
- 3.4. Clarity of Thoughts and Expression
- 3.5. Skills of advocacy and Court Mannerisms

Note for participants - To ensure uniformity in marking in each court room to do away with subjectivity to an extent, follow the points scheme given as under.

Excellent	Very Good	Good	Average	Poor
5	4	3	2	1

4. PENALTIES:

4.1. Scouting:

No member of any team or any other person will be permitted to witness the arguments, or enter the live video conferencing in which that team is not one of the participating teams whilst that team is a part of the competition or the person is not part of any of the participating team. If this rule is violated, the Governing Council shall take strict actions, which may include but may not be limited to, the expulsion of the said team from the competition.

4.2. Non – Disclosure of Identity:

Teams shall not disclose their identity, i.e. the name of their institution, city, etc. or any other information which has the effect of disclosing their identity and affiliation with a particular university or institution. Such disclosure shall result in disqualification subject to the discretion of the Organizers.

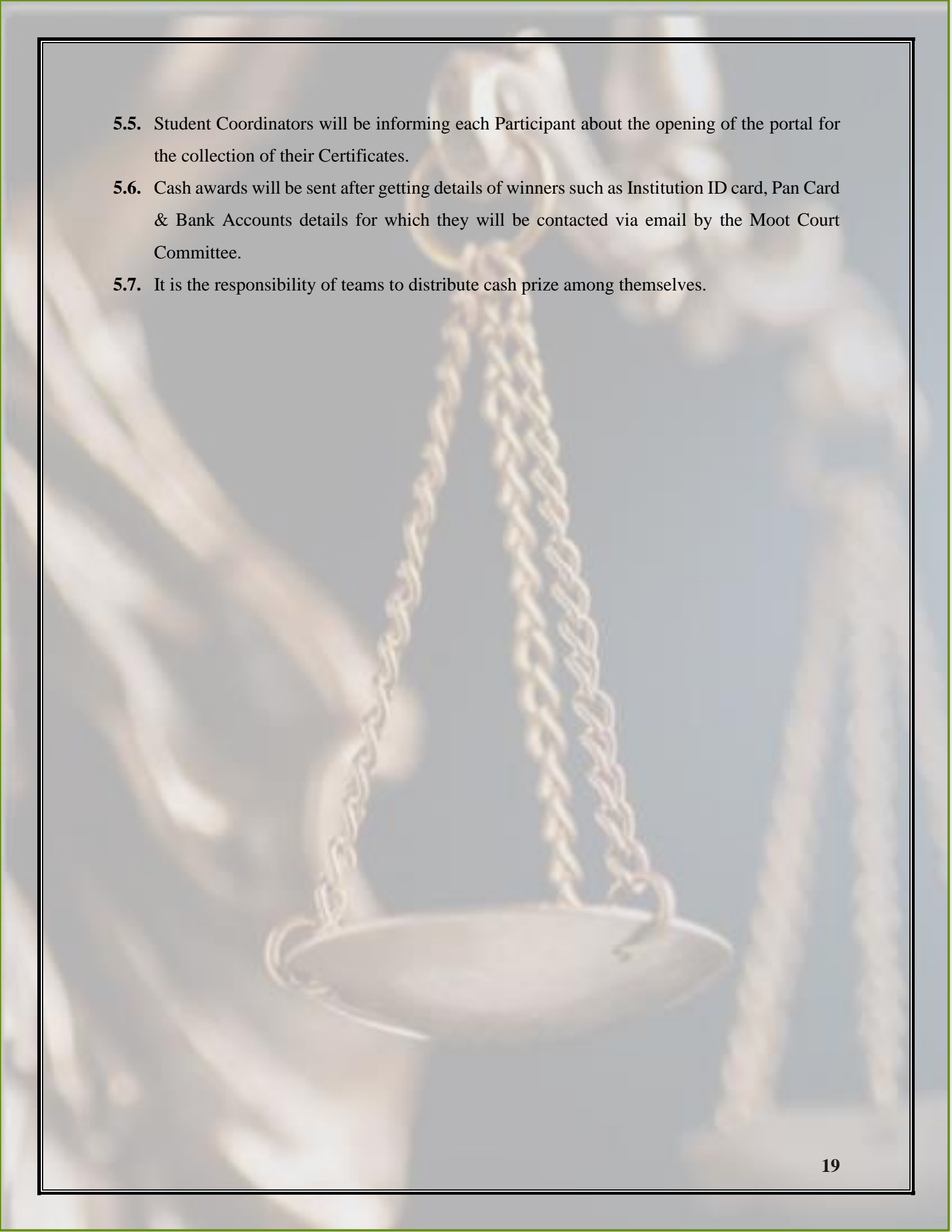
4.3. Copyright:

The copyright with regard to the memorials submitted for the participation in the Competition is assigned by participants and shall also vest completely and fully with the Organizers. The participants shall certify the originality of the memorials and the materials used and shall be responsible for any claim or dispute arising out of further use and exhibition of these materials. The Organizers shall have the right to publicly display, distribute either electronically or otherwise and they shall not be responsible for any liability to any person for any loss caused by errors or omissions in this collection of information, or for accuracy, completeness or adequacy of the information contained in these materials.

The copyright with regard to the audio-visual files, conferencing, submitted for the participation in the Competition is assigned by participants and shall also vest completely and fully with the Organizers, which will be further posted on the social media platforms for clarity and purposes.

5. CERTIFICATION, PRIZES AND AWARDS:

- 5.1.** Online Certificates for participation will be given to all the participants under the current circumstances. The Online Certificates will be accessible only after the valedictory ceremony.
- 5.2.** Participants will receive their Participation Certificates on given mail after they fill up the feedback form. Certificates for Quarter-Finalists, Semi-Finalists, Runners-up, Winners and Best Speakers will also be provided after they fill up an additional form for their prizes.
- 5.3.** Certification response will be limited to one only. Participants are requested to fill the details (Name and Name of the Institution) correctly with no room for errors. The certificates will not be issued again.
- 5.4.** Participants can get their Certificates within 30 minutes till the portal is open.

- 
- 5.5.** Student Coordinators will be informing each Participant about the opening of the portal for the collection of their Certificates.
- 5.6.** Cash awards will be sent after getting details of winners such as Institution ID card, Pan Card & Bank Accounts details for which they will be contacted via email by the Moot Court Committee.
- 5.7.** It is the responsibility of teams to distribute cash prize among themselves.

CHAPTER V

1. MISCELLANEOUS PROVISIONS:

- (i) No team shall indulge in any act of misconduct in during audio-visual recording or virtual conferencing, undermining the credibility of judges or that of the competition. Any act to the contrary may lead to immediate disqualification from the competition without scope of appeal.
- (ii) All the teams shall be bound to follow the code of conduct and the rules laid down by School of Law, GD Goenka University.
- (iii) Any behaviour of indiscipline with the Governing Council or any other staff member or student volunteer shall be dealt with strictly and may lead to immediate disqualification from the competition without scope of appeal.
- (iv) No team shall ask for feedback immediately on completion of any round. However, at the end of all the rounds the participants may talk to the judges, with minimum inconvenience caused to them.
- (v) Any attempt to approach the framer of the moot problem or the panel of judges of the competition, prior to the competition shall be dealt with strictly and may lead to immediate disqualification from the competition without scope of appeal.
- (vi) The organising committee reserves the right to amend, modify or repeal any of the rules if so required and as they deem appropriate. Participating teams shall receive adequate notice of any/all such amendments or modifications to the rules.
- (vii) If anything, not covered by rules the decision of organising committee will be binding.
- (viii) During the live rounds, the microphones of all the persons not speaking shall be on mute, any kind of disturbance created by the team members, or the team member of opponent team if found, then the team making the disturbance shall be warned, continuance of disturbance may lead to disqualification from the competition on the discretion of Judges.
- (ix) No team is allowed to use mobile phones during any of the oral rounds, for the purposes of research, phone call, texting, or any other purposes.
- (x) The organizer shall not be responsible for any loss of connectivity or slow internet connection during the competition, the participants are requested to have sound internet connections and working laptop/pc. **No use of mobile phones/ tablets will be allowed other than in case of joining the courtroom.**

- (xi) The platform will be informed beforehand; therefore, the teams must have knowledge of using the platform. Also, all the queries regarding anything related to use of app, or any other issues related to the platform being used shall be notified.
- (xii) If any member of a team is notified or informed of any detail or information concerning the Competition, it shall be deemed as if the said team as a whole has been duly notified or informed, however the communication will be made to all but to the possible extent. Also, the individual is responsible to communicate the information with the team.
- (xiii) Conversion charges for converting other currency into Indian rupee has to be incurred by the International Teams.

2. FOR FURTHER DETAILS CONTACT:

Regarding the rules of the competition or any other queries, send your queries at mootcourt@gdgoenka.ac.in with subject line “Competition Problem-Queries”. You can also contact any of the following members of the Organizing Committee between 10 am to 4:00 pm (IST).

FACULTY MOOT COURT COMMITTEE:

- Shreyas Vyas: +91 7693015323
- Abhinav Kumar: +91 8420142231

STUDENT CO-ORDINATORS:

- Ayush Gupta: +91 7017183604
- Shrishti Bansal: +91 8433191400
- Vaishali Pooniwala: +91 8120939298
- Samyak Sharma: +91 7289938118

Email Id. mootcourt@gdgoenka.ac.in

LinkedIn: <https://www.linkedin.com/school/gdgoenkauniversity>

Facebook: <https://www.facebook.com/GDGULS/>

Instagram: <https://www.instagram.com/schooloflawgdgu/>

Twitter: <https://twitter.com/gdgschooloflaw>



MOOT PROPOSITION

DISCLAIMER

All the characters and events depicted are fictitious. Any resemblance to a person living or dead is purely coincidental. This proposition is a work of fiction and any resemblance to any person living or dead is purely coincidental.

- I. Unopean Union is a union of multiple countries and is famous for its history, culture, sports and fine arts. It is also considered highly advanced in education, data protection and quirky laws. The Federal Republic of Bravos and Westworld Republic are developed countries and a part of Unopean Union. Bravos and Westworld are neighboring countries and have close relations. Unopean Union is home to 2 world-leading companies- Jingo-Jinga Phones Inc. and Vocapp LLC providing different services to the consumer.
- II. Union of Indra is a developing country situated in South- Asgard. Indra is known for its rich cultural heritage, handloom products and incredible architecture, making it a center for world tourism. Indra has always been an active supporter of sports activities and has made its name in one of the top economies around the world.
- III. The 21st Atlantis International Games are organized every 4 years and are celebrated all over the world. Every country sends their best performers in a particular sport to participate in Atlantis. This year Indra is the host for Atlantis International Games for the first time because of its infrastructure development over the past few years in its capital, Schrute City.
- IV. The People's Republic of Shiganshina is a developed nation, located North- East of Indra and is an adversary over the constant land/ border dispute and data protection policies. Communist Party of Shiganshina handles all government functions and is notorious for its abuse of law policies and its companies for data mishandling. Shiganshina is known to shelter multiple terrorist organizations.
- V. Vocapp is a cross-platform centralized messaging and voice-over-IP service provider. It allows users to send text messages and voice messages, makes voice and video calls, and share images, documents, user locations, and other content. Vocapp has 2.7 billion active users worldwide and is ranked as the most used mobile messenger app in the world with more than 100 billion messages sent each day. According to market reports, Indra has more Vocapp users than any other country, with 4.5 million monthly active users.
- VI. Jingo-Jinga Inc. believes that a phone should be more than a collection of features. That, above all, a phone should be absolutely simple, beautiful, and magical to use and most importantly should provide a sense of data security to its users.

- VII.** Indra gets a lot of its business from Vocapp LLC and Sodafones which is a subsidiary of Jingo-Jinga Phones.
- VIII.** On the 15th day of the Atlantis Games, a group of terrorists bombarded one of the stadiums where they abducted 17 officials from different countries. Of those 17 officials, 2 officials were from Bravos and Westworld who were gravely injured. The casualties from the attack were 39 and 88 people were injured.
- IX.** As soon as the Indra government was alerted, the Indra Army started with the rescue mission. While rescuing the officials it was discovered that the attack was linked to the organization named Akatsuki which has its base in Shiganshina. In demand of ransom, the members of Akatsuki asked for the release of General Backshe, who was under arrest for International Crimes and a military chopper and a safe passage to leave the country.
- X.** The next day, the Field Marshal of Indra Mr. Mihir Virani communicated to the Prime Minister of Indra Mr. Khal Drogo, that phone tracking of officials was not possible and therefore the Indra government should request the CEO of SodaFone, Mr. Tappu Gada to share the last active location of the terrorists.
- XI.** Prime Minister Khal Drogo explained to the CEO the gravity of the situation saying, "on behalf of national security and interest of Indra I request your company to provide the last active locations and all the essential details required in this grave situation where the lives of these 17 esteemed officials are in danger so that we can deploy to save and liberate the abducted with your corporation".
- XII.** To which Mr. Tappu Gada replied, 'Sir, with all due respect, our team understands the predicament and we sincerely would like to help but the company policy doesn't allow us to provide any assistance in these matters due to the highly stringent privacy policy. Non-compliance of which will lead to hefty fines according to the Regulation on General Data Protection (RGDP) of Unopean Union.
- XIII.** Prime Minister Drogo in his official press conference condemned the non-cooperation and promised to take actions against the company.

- XIV.** However, in a turn of events, one of the terrorists accessed Vocapp to communicate to their leader Gopi Yunseri in Shiganshina and gave up their location by using the internet. However, the Chats, plans and other details were not accessible because of the company's end-to-end encryption policy.
- XV.** After a successful mission by Indra Army, Prime Minister Drogo in his victory speech through the "Dil ki Baat" program which is aired 12th day of every month at noon IST, addressed the nation, congratulating the Indra army for fighting bravely against the terrorists and rescuing the 15 officials, within 5 days of the attack. He expressed his grief at the unfortunate demise of two gravely injured officials from Bravos and Westworld and other victims of the attack. He also prayed for the fast recovery of the injured. Lastly, he expressed his concerns over the data privacy laws in the country and how it needs reform for national security.
- XVI.** During the investigation, the Indra Army could not recover the phones of terrorists. However, for collecting evidence and to know the complete planning for prevention of any such future attacks, the army of Indra requested Vocapp to grant access to the chats of the terrorists before and during the attacks to which Vocapp denied.
- XVII.** That the Union of Indra has an umbrella legislation on use of the electronic format and the digital environment. This legislation is known as the Digital Technology Act, 2015 (DT Act, 2015). This legislation provides for very expansive definition of network service providers and intermediaries. It further provides statutory exemption for legal liability of all intermediaries, provided they fulfill four conditions:
- (a) They comply with the DT Act, 2015 and also rules and regulations made thereunder;
 - (b) They exercise their due diligence while discharging their obligations under the Act;
 - (c) They do not conspire or abet in the commission of any offence or contravention under the DT Act, 2015 or any other law prevailing for the time being in force in Union of Indra;
 - (d) Once the intermediaries are called upon to remove or disable access to any unwarranted or illegal content, they will do the same expeditiously without vitiating the original electronic evidence in any manner whatsoever.

Section 87 of the DT Act, 2015 empowers the Government of Union of Indra to come up with rules and regulations to give effect to the provisions of the DT Act, 2015.

- XVIII.** Meanwhile, for the same reasons which included national security, the Indra government introduced the Information Protection Rules (hereinafter IP Rules), 2021 which required the companies to provide such sensitive data to the government or any such government agency undergoing investigation for national security.
- XIX.** The IP Rules, 2021 required greater due diligence and liability. It also requires the messaging service provider, social media companies and mobile phone companies to provide the information about the first originator of the messages in case the messages are against the national security, sovereignty and interest, and other such necessary information including the current or last active location, as required by the government. The companies needed to implement the rules within 8 weeks from the date of publication of the Rules.
- XX.** It is pertinent to note that the IP Rules, 2021, while encouraging service providers to come up with technology based measures to identify information pertaining to origin of electronic messages, further provide that the said measures shall be proportionate having regard to the interests of free speech and expression, privacy of users on the computer resources of such service providers, including interests protected through appropriate use of technical measures.
- XXI.** Further, IP Rules, 2021 provide for appropriate safeguards by mandating service providers to mandatorily implement mechanisms for appropriate human oversight measures of automated tools. The Rules further provide that the review of automated systems must mandatorily evaluate the automated use of Artificial Intelligence (AI), having regard to the accuracy and fairness of such tools, the propensity of bias and the discrimination in such tools and the impact on privacy and security of such tools.
- XXII.** Rule 7 of the IP Rules, 2021 stipulates legal consequences for service providers not complying with the IP Rules, 2021. These consequences include service providers being stripped off their statutory exemption from legal liability by virtue of operation of law. The said Rule further provides for criminal liability for the service providers/intermediaries and their top management for being punished for various offences under the DT Act, 2015 and the National Penal Code of the Union of Indra.
- XXIII.** Vocapp CEO Ms. Teja Hatela on this news gave a statement contesting the implementation of the Rules stating that:

- a) Their company provides end-to-end encryption that guarantees the privacy of its user and that is why the first originator cannot be disclosed without removing the encryption, which will risk and breach the privacy of the users.
- b) Their company uses the latest Artificial Intelligence (AI) tools for analysis of data in such a manner that the privacy of their users is protected and there is no human element which is exposed to details pertaining to origin of incriminating electronic messages on their platforms.
- c) She further made the statement alleging that 'the government under the umbrella of national security wants to spy on its citizens and hinder their right to privacy.'
- d) She also stated that the citizens of Union of Indra have fundamental right to privacy as an integral part of their fundamental life as enshrined in the Constitution of Indra and hence, the IP Rules, 2021 are in gross violation of peoples' fundamental right to privacy as the same have given unbridled, unchecked powers to the Government of Union of Indra to spy and monitor on the digital activities of its citizens.
- e) She further stated that the IP Rules, 2021 have not been passed by the Parliament of Union of Indra and hence constitute secondary legislation. She further argued that the IP Rules, 2021 have gone beyond the scope of the DT Act, 2015 inasmuch as the original legislation does not have any grounds for mandating service providers to provide information pertaining to the first originator of the messages.
- f) In addition, she pointed out that the language used under the parameters of the IP Rules, 2021 is very vast, broad and is capable of any subjective interpretation and can be used by the Government of Union of Indra to target any service providers and/or their users under the broad parameters of national security, sovereignty and sovereign interests.

XXIV. Following the above statement from Vocapp, Sodafone CEO Mr. Tappu Gada expressed his concerns:

"The brand value and the loyalty of our company lie in protection of the privacy of our consumers. Sodafone is preferred over other phones by our consumers for the very reason that we promise to provide them with high-end technology and data protection which includes secure location and IP address of the users. We in our company believe that the quality of our services is non-negotiable and will be maintained with the highest interest of the consumers."

XXV. After such above stated outrage, the TD Minister of Indra Dr. Tuco Salamanca in a press conference clarified:

"The New IP Rules, 2021 are implemented with the view of protecting the country from such attacks which were seen during the Atlantis Games. The location of the terrorist would have been detected earlier if the companies would have cooperated with the government. It is in the national security and sovereignty that information protection is reformed and implemented. I assure the citizens the Rules will not violate or interfere with the privacy of the user but will strengthen the protection. That is why I request Ms. Teja Hatela (Vocapp) and others to comply and implement the regulations within the required time frame."

XXVI. Even after giving the promising words regarding the compliance Vocapp did not implement the measures within the required time frame. In response to the same, the Ministry of Technology and Data served the following notice and posted the same on Birdier. (Annexure 1)

XXVII. Meanwhile, the officials of the Government of Indra stated in interviews in the public domain that how the service providers like Vocapp LLC and Sodafone Inc comply with the provisions for providing details of the first originator of the incriminating message, is the sole headache of such service providers. The said service providers are required to come up with innovative solutions including deployment of new technology based measures including automated tools or other mechanisms to proactively identify information pertaining to chief originator of incriminating electronic records, which is essential for fighting the menace of increasing cybercrimes and cyber security breaches during the pandemic times.

XXVIII. During subsequent interviews in the public domain, the concerned officers of the Union of Indra stated in the public domain that since Vocapp LLC and Sodafone Inc have not complied with the mandatory provisions of the IP Rules, 2021, they have been stripped off from their statutory exemption from legal liability as intermediaries by virtue of operation of the IP Rules, 2021. The said officials further stated that the inaction on the part of the service providers have opened the said service providers to criminal liability for being punished for various offences under the DT Act, 2015 and the National Penal Code of Union of Indra.

- XXIX.** That meanwhile, both Vocapp LLC and Sodafone Inc successfully lobbied with an international body under the United Nations being the United Nations Special Rapporteur on Digital Rights who, in a strong letter to the Government of Union of Indra, criticized the provisions of the IP Rules, 2021. The said United Nations body categorically pointed in its letter as to how the provisions of the IP Rules, 2021 are completely antithetical to Union of Indra's own obligations under the international human rights law and amount to gross systemic dilution of free rights of both the intermediaries and individuals in the Union of Indra. The said UN Body further make a call to other countries to condemn Union of Indra for its overarching IP Rules, 2021, which tantamount to nullifying and negating the enjoyment of all digital rights and liberties of individuals and legal entities in the Union of Indra.
- XXX.** Birdier compiled after the issuance of the above notice in fear of severe actions and losing the market. However, non-compliance from Vocapp LLC and Sodafone Inc. compelled the government to file a criminal case against them for non-compliance with the Rules. An additional case against Vocapp and Sodafone was filed at the Supreme Court of Indra for not complying with the government orders during the Atlantis Games attacks risking the national security and integrity of Indra.
- XXXI.** Vocapp LLC and Sodafone Inc have vehemently contested the said case by challenging the constitutional validity of DT Act, 2015 and the IP Rules, 2021. They also prayed for striking down the DT Act, 2015 and the IP Rules, 2021 as being constitutionally invalid and for quashing the criminal case filed by the Government of Union of Indra against Vocapp LLC and Sodafone Inc.
- XXXII.** Both Vocapp LLC and Sodafone Inc have argued before the Supreme Court of Indra that the IP Rules, 2021 are not just the gross violation of principles of the Constitution of Indra but are also in contravention of international obligations of the Union of Indra under the Universal Declaration on Human Rights and other covenants and international agreements agreed to by the Union of Indra under the United Nations frameworks.
- XXXIII.** The Government of Union of Indra has strongly defended the DT Act, 2015 and the IP Rules, 2021 on the ground that these are legislations, primary and secondary respectively, passed and implemented by the sovereign government of a sovereign nation in exercise of its sovereign

powers and that no private or foreign company and entity can be allowed to give lectures of free speech or sovereign interests to the sovereign government of Union of Indra. The Government of Union of Indra has further contended that the top management of Vocapp LLC and Sodafone Inc be convicted for various offences under the DT Act, 2015 and the IP Rules, 2021 and also the National Penal Code of the Union of Indra for their willful, deliberate and intentional criminal acts.

Note:

1. Unopean Union is in Pari Materia to European Union.
2. Indra is in Pari Materia to India.
3. Schrute City in Pari Materia to Delhi.
4. Participants shall not call MTD authority for setting the standards in question.
5. The applicable law to the problem will be taken to be as extant in India as on the date of submission of Memorials.
6. The Digital Technology Act, 2015 (DT Act, 2015) will be taken to be based exactly on the Indian Information Technology Act, 2000.
7. The Information Protection Rules, 2021 (IP Rules, 2021) will be taken to be based exactly on the Information Technology (Intermediary Guidelines and Digital Media Ethics Code) Rules, 2021.

ANNEXURE 1

MINISTRY OF TECHNOLOGY AND DATA

Notice

Date- xx.xx.xxxx

The refusal to comply demonstrates Vocapp and Birdier's lack of commitment and efforts towards providing a safe environment on its platform for the people of Indra. It is beyond belief that both the companies have doggedly refused to create mechanisms that will enable the people of Indra to resolve their issues on the platform in a timely and transparent manner and through fair processes, by Indra based identified resources, leave alone proactively creating such a mechanism, they are in the inglorious bracket of refusing to do so even when mandated by law. Vocapp LLC and Birdier Inc. are hereby given one last notice to immediately comply with the Rules, failing which the exemption from liability shall stand withdrawn and they shall be liable for consequences that may extend to winding up as per the Information Protection Laws and penal laws of Indra. Hereby the companies are provided with an extension of one month after which the actions will be taken.

Dr. Tuco Salamanca

Minister of Technology and Data, Indra

Schrute City- 007.

PROGRAM SCHEDULE

DAY 1

SATURDAY, 28th AUGUST, 2021

EVENT	TIME	VENUE
Inauguration	10:00am - 11:30am	YouTube / Facebook
Prelims 1	12:00 PM - 1:00 PM	Google Meet
Prelims 2	1:00 PM – 2:00 PM	Google Meet
---BREAK---		
Result Declaration & Memorial Exchange	2:30 PM - 3:00 PM	YouTube/ Facebook/ Google Meet
Quarter Final	3:45 PM - 4:45 PM	Google Meet
Result Declaration & Memorial Exchange	5:15 PM – 5:30 PM	YouTube / Facebook/ Google Meet

DAY 2

SUNDAY, 29th AUGUST, 2021

EVENT	TIME	VENUE
Semi Finals	10:00 AM – 11:30 AM	Google Meet
Result Declaration & Memorial Exchange	11:45 AM - 12:00 PM	YouTube / Facebook/ Google Meet
---BREAK---		
Finals	12:30 PM - 2:30 PM	Google Meet
Valedictory & Result Declaration	3:00 PM - 4:00 PM	YouTube / Facebook

- Draw of Lots for Preliminary Round will be conducted at 12 noon on 27th August, 2021.
- Result Declaration will be followed with Draw of Lots at every time.

KNOWLEDGE PARTNERS

CYBERLAW UNIVERSITY- While there has been some effort done to create more awareness about Cyberlaw through different initiatives, it was felt that there is a distinct need for an online University that is dedicated specifically and exclusively to all the legal issues pertaining to cyberspace and the Internet. Herein lay the genesis of the origin of the



idea of the Cyberlaw University by Dr Pavan Duggal, an Indian advocate specialized in the field of cyberlaw and e-commerce law. Cyberlaw University is an online University that is specifically dedicated to the study of Cyberlaw and related legal issues. We are an online University dedicated to promoting Cyberlaw education platforms across the world which is dealing with Cyberlaw and related aspects.

In the times to come, the goal of Cyberlaw University is to become one common central point for not just the growth of Cyberlaw jurisprudence across the world but also for disseminating knowledge about the constantly changing cyber legal trends impacting the use of computers, computer systems, computer networks, communication devices as also data and information in the electronic form.



WIZLAW- The legal profession is one of the most demanding professions. There is a huge gap between the realities of the profession and the functioning of law schools. A cohesive mixture of knowledge and

experience is required to progress in the profession.

WizLaw is India's only placement and up-skilling platform dedicated to the legal community. The Course offerings are devised and delivered by a range of eminent practitioners and academicians. The Integrated career opportunities platform provides access to professional networks and career opportunities. WizLaw Academy's intrinsic value is from its panel of advisors, comprising of luminaries from premier law colleges and top law firms in India.



PSL ADVOCATES & SOLICITORS is a new-age boutique law firm offering specialised legal services to leading Indian and multi-national corporations, Sovereign States, Financial Institutions, Government Instrumentalities including Public Sector Undertakings, Royal Families and Individuals.

The Firm is committed towards delivering bespoke and pragmatic solutions to its clients in short turnaround time. PSL has advised and represented clients from a wide range of industrial sectors including Aviation, Banking, Automotive, Food, Hospitality, Real Estate, Retail, Defence, Infrastructure, Manufacturing, Electricity, Power, Telecom and Oil & Gas. PSL's practice is unique because the partners' experience spans across vast areas of practice.'

Started in the year 2012, **KNOWLEDGE STEEZ** has walked past several milestones since then. The idea was to create a platform that would serve benefits in career and academic aspects to the students of law, social sciences stream, remotely located law colleges and the media field as well. To introduce, Knowledge Steez attempts an effort in keeping students, researchers, scholars, academicians and teaching fraternity, updated with all the academic opportunities coming their way, in order to boost their career and promote much wider information dissemination. Knowledge Steez core aim is to provide training to students and faculties about research, Human Rights and allied subjects. It has recently got itself registered as Knowledge Steez EduHub (LLP AAM 8237). It was founded by Nitesh Kumar Upadhyay, Vivek Kumar Verma and currently managed by Mahak Rathee (CEO and Executive Director).



MEDIA PARTNERS



LAWCTOPUS is India's most popular and trusted website for law students. Launched on 27th September 2010, this website provides different opportunities for the students such as: call for papers, essay competitions, seminars, courses, law school fests, moot court competitions, fellowships, PDs, and MUNs. They also provide the best internship experiences for law students at various places: lawyers, NGOs, law firms, companies etc. Such a database of internship experiences, they believe, will help you make informed decisions about your internships and careers. Lawctopus contains a healthy repository of articles guiding law students about their careers. Advice related to internships, mooting, career options in law, curating a CV etc. are shared in this section.

WORLD CONFERENCE

ALERTS, is essentially an online stage where you can get the insights regarding the



meetings, classes, workshops and other related occasions. These are where as well as can be expected offer information and their exploration results and help the cutting-edge world to get the greatest usage of information.