

COMMON INDUCTION MOOT 2021 PROBLEM

1. Arda is a young federal republic known for its vibrant democracy. It boasts of having produced some great leaders, innovators and public servants. Within Arda, the State of Gorgoroth has an undisputed dominance when it comes to educating the nation's children and cultivating future leaders.

2. Mordor International School ("**MIS**") is a prominent boarding institution located within a small township situated at the foothills of the Ash Mountains, in the State of Gorgoroth. It admits a batch of around 2000 kids every year, selecting them from an application list of more than 50,000 students from all over the country through an admission process that involves multiple rigorous aptitude-based tests for the child as well as the parent. The faculty appointment process also involves a meticulous system of interviews and

psychoanalytical tests, geared towards ensuring the greatest personality development of the child. The institution lauds its system of tests and interviews as it has managed to churn out the brightest and most innovative minds of the State in its 150 year history.

3. The school carries a blemish-less academic track record with the maximum number of students scoring highest in the 12th GBSE annual examinations for the past 15 years. Owing to the state-of-the-art sports arena, the school has seen commendable achievements with the students excelling in all major sporting events. The Gondor Music Conservatory, an initiative of one of the alumnis of the institution, is one of the most renowned musical research and training facilities in the State. Equipped with instruments from more than 56 countries, the conservatory is home to the most renowned student orchestra groups that have performed all over the world. Needless to say, the

educational institution is a world in itself and is a world to which every parent wants to send their child.

4. Headmaster Sauron Mairon has been the headmaster of MIS for the last 15 years. He has been a notable functionary in the school's remarkable history, starting out as a teacher and working his way up. His initiatives and management style have raised the school to its current standing. The headmaster considers the school to be his brainchild, and takes it upon himself to fend off any attack made against the hard-earned integrity and esteem of the institution. His hard-lined ideals, his strict disciplinarian regime, and his severe aversion to new ideas and methods have given him the tag/nickname of "Dark Lord" amongst the student community.

5. In recent months, the flawless system of the school has come under the scanner pursuant to a couple of

media reports published by AshHills Daily, a notable local paper, questioning the perplexing and murky admission procedure followed by the institution. The reports suggested that the school, under the garb of its acclaimed and complex admissions procedure, has been accepting huge sums of money as "donations" from powerful individuals and has been subsequently admitting students on that basis. The reports further suggested that the school had become a hub for the affluent, and the principles and educational values which the institution was known for had become a part of history. The reports led to an uproar amongst the parents and other stakeholders. Sensing the rising discomfort and a scar on its reputation, the headmaster published an official reply castigating the media for publishing a report on an institution with a proven track record of integrity, based on frivolous and unproven allegations. The school further stated that it would have no other choice but to take legal recourse against the paper. The

school explicitly mentioned its zero-tolerance policy towards any information which mars its well-established integrity.

6. Frodo Baggins is a 16-year-old boy studying in the 10th grade at MIS, and has been part of the same schooling system since the beginning. Although his academic record has not been up to the mark, his inclination towards music has always kept him on his toes. Frodo has been a pivotal member of the student orchestra and a rising star of the Gondor Music Conservatory. He aspires to perform at the prestigious Undying Music Conservatory in Lothlórien and has been working towards this goal for the past 10 years. The faculty, seeing his academics suffer, has sounded numerous warnings and has issued a strict disciplinary note to him due to his low marks in the annual examinations, clearly stating that if the pattern continues, expulsion might be the only recourse. Deeply affected by these admonitions, and to secure his long-standing

dream of becoming a musician, Frodo started focusing on his academics. He managed to score decently in the final examinations, effectively silencing the authorities.

7. Samwise Gamgee, another 16-year-old boy was a dear friend of Frodo's and perhaps his only close friend. He had always admired Frodo's admiration and love for music. He also aspired to walk in the shoes of his friend and used to berate himself for his lack of musical talent. Both Samwise, alias Sam, and Frodo were strong advocates of free speech; they both used to frequently write for their school magazine titled "The Middle Earth". Their joint column "Ring Bearers" had a huge fan base among the students and was actively followed on Faceup, a social media platform. During the uproar which ensued after the publication of the infamous media reports AshHills Daily, Sam who was in search of content for an article for the magazine, decided to write a scathing piece on the

internal functioning of the school and the authoritarian regime created by the "Dark Lord". After running his ideas past Frodo, he wrote the article under a pseudonym to avoid any kind of flak from the administration for his involvement. Titled, "**The Fallen King**", the article spread like wildfire amongst the students, and was noticed by a couple of media houses that shared the piece on their social media handles alongside their existing reports on the school. The post was shared rampantly amongst the students and the faculty members, some applauding its boldness and others berating it to be a cheap trick. Even though the Article was penned under a pseudonym, most of the students believed that Frodo was the writer, owing to his distinctive writing style.

8. The article subsequently reached the eyes of the headmaster, who couldn't fathom such an indictment of himself and the institution by his own students. He vowed to teach Frodo and Samwise a lesson that

would ensure that they refrain from questioning his authority in the future. As an initial measure, he called both their parents and explained the entire chain of events to them. Frodo's parents, who were writers themselves, took it negatively and argued that their son is supposed to have a free space to think and ideate in whichever way possible, and according to them, he had done no wrong in writing his opinions. Sam's parents, on the other hand, strictly rebuked him and told him to stay away from Frodo. The headmaster bowed down to these statements and let Frodo off with a fair warning about withholding from writing on such volatile issues, whereas he further reprimanded Samwise.

9. In the subsequent few days, while things went on as normal for Frodo, he felt a sense of hostility from the faculty members. They blamed him for any kind of vocal outbursts by students, tagging him as a bad influence. Sam on the other hand was also being ostracized, but at a lesser scale as he was thought

of as a child who had deviated from the righteous path followed by his parents. Frodo initially turned a blind eye to these instances, but matters worsened when he was called out individually onto the stage in one of the morning assemblies. He was ordered to take an oath to maintain the discipline and decorum of the school and was asked to formally apologize for the misconduct and disrepute he had caused to the institution. Frodo felt utterly humiliated by the incident. Things went downhill from there. An official notice was issued, signed by the headmaster, which stated that whoever followed or shared "Ring Bearers" or its content on any social media platform, or was found to be associated with any of the content, would face strict disciplinary action. The notice further warned students against interacting with any deviant elements, be it inside or outside the school, who attempt at jeopardising the school's reputation. The notice came out as a shock for the duo, who couldn't understand the aggression

directed towards them. The notice led to a wave of ridicule and contempt towards both. The constant scorns and taunts made them seclude themselves from their peer group, and they eventually fell into a state of great emotional distress. Frodo took it harder than Sam, and his academic scores started dropping, and that became an additional reason for ill-treatment by faculty members, thus further pushing him down emotionally. Music was his only solace in the midst of this torment, and his frequent visits to the Conservatory kept him in a balanced state of mind. The headmaster, who was aware of his proclivity towards music, felt that it was the only avenue that would make a profound mark on Frodo's mind. Things hit rock bottom after he received an official mail from the student coordinator, that he had been removed from the school orchestra due to his "inefficiency" in the field. When he walked up to the Music Conservatory the next day to talk about his sudden removal, he was told that it wasn't prudent to keep him in the

group after the notice, and that it was the headmaster's order. Frodo was left completely shattered seeing his dream being taken away from his hands. He immediately contacted Sam via Face-up's messaging app and a conversation ensued **(Annexure A)**.

10. On the night of 02.03.2015, while conducting his routine hostel duties, the warden was confused to see the lights in Frodo's and Sam's room still lit. He knocked on Frodo's door to enquire about the same, but there was no response from the other end. He tried Sam's door as well but to no avail. Hearing his voice in the corridor, a couple of other students walked out of their room to check. As time passed by without any kind of response from either Sam or Frodo's room, the warden and the students decided to break both the doors open. The doors were forcefully opened to the sight of Frodo hanging from the ceiling fan, whereas Sam was still struggling with his neck tightly held by a noose.

Utterly dismayed by the scene, the students removed them both from the knot, an ambulance was called and they were rushed to a nearby hospital. Frodo was declared dead on arrival whereas Sam was rescued after intense efforts of the hospital's emergency medical team. One of the hostel students, while moving Frodo from the room to the ambulance, happened to spot at a piece of paper lying in the corner of the reading table. It was found to be a suicide note (**Annexure B**).

11. An FIR was lodged by the police against the headmaster of the School and Sam at Legolas Street Police Station, an investigation ensued and the report of apparent cause of death was forwarded. Finally, the headmaster was charged with the offense u/s 305 of the Arda Penal Code ("**APC**") whereas Sam was charged with offences u/s 120-B, 305, 309, 500 of the APC. The Sessions Court after perusing the whole case, relying upon the private chats and the recovered notes, convicted them both

and sentenced them both to rigorous imprisonment of 7 years each. The Sessions Court also held that Sam and Frodo were involved in a conspiracy to defame the institution due their frustration, and that Sam had instigated and planted the idea of suicide.

12. Aggrieved by the judgment, Sam filed an appeal in the High Court of Gorgoroth u/s 374 of the Arda Code of Criminal Procedure ("**Arda CrPC**"), challenging the admissibility of the chats and the notes as the sole basis for his conviction, and further challenged his conviction u/s 305, 309, 120-B and 500 of the APC. Sauron also filed an appeal in the High Court of Gorgoroth challenging his conviction u/s 305 of the APC. The High Court of Gorgoroth has decided to club the two appeals and hear them together.

NOTE: All the laws of Arda are pari materia with the laws of India.

Annexure - A

Frodo: I was removed from Gondor today!! They told me that they could not be associated with someone like me...

Sam: That's just crossing a line! I've had it with them!! What do they want? That we die??

Frodo: What can we really do though?

Sam: We should let everyone know of the abuses we face!! We should draw everyone's attention to this hostility that we are facing.

Frodo: How can we do that? Students are afraid of or angry over Ring Bearers. It won't suffice this time.

Sam: We'll look for some other way. Maybe we can protest or stage a skit or strike?

Frodo: I'm tired of all this. I just wanna be done with it.

Sam: Me too. Don't worry. I'll think of something and let you know. I'll make them pay. I'll strike the Dark Lord where it would hurt him the most!!

Annexure - B

I have always been a strong advocate of pushing through stuff in life and facing any kind of hurdle. But today I feel differently. The past few weeks of my life have been disturbing. I believe it all started with the article "The Fallen King". I'm disturbed to see that vocalizing my opinions has been treated as a sin. The people I've known all my life have shown me sides, darker sides, which I never could have imagined they possessed. These unprecedented shades of the world need to be brought out for everyone to see and this has convinced me to take this step. I can't survive in such an environment, a place where being a considerate human is taken to be a sin. I want this to be a change, a change which helps you raise your voice against this injustice, and a change from the tyranny and the inhumanity of the "Dark Lord". Sir, if you're reading this, I hope that you understand the importance of free speech and liberty.

To all the students bowing down to his authority, I'm calling out to you to rise and raise. Let this be your guiding spirit to overcome him. To show him his real place. To Sam, I say thank you for being my guide and friend. Let's hope that our dreams come true!

Sorry Mom and Dad. Your son is in a better place.

With Love.

Frodo.

Annexure - C

PW 1 - Merry Pippin (Music Club Lead)

Frodo and I have been friends for the past 2 years and we've been in the same class this past year. He was a good person, a good friend, and we often used to sit together and study during exams. In fact, I helped him frame a study pattern last year when he received a warning for his consistently low scores. I still remember him toiling his way through all the subjects for numerous nights to enhance his scores, which he eventually did. At that time, I got the impression that he was mostly reserved and highly gullible. He could easily be influenced and thus could join any group or person which talked to him. He was a decent person who always tried to help others, but was a bit clumsy. He could not be expected to follow highly intricate discussions or execute any complicated plans.

Music was something which Frodo never turned his back towards, it was his safe zone. And he was truly excellent in that zone. If we couldn't find Frodo anywhere in the school premises, he was bound to be practicing at the conservatory. It was his lifelong dream to perform at the Undying Music Conservatory, and he wasn't very far from fulfilling it.

Things started turning bad after the article. I was always skeptical about the article, and tried conveying the same to him, but Frodo was adamant about putting across his opinions and those of others in the media. I was always scared of the administration, they aren't people to be meddled with. We had heard our share of rumors about students being expelled for the most frivolous reasons. Frodo didn't care about it, he never cared. The article pushed him straight into the eyes of the administration. He was targeted individually on multiple occasions. It was really hard for me to see him suffer. His removal from the music conservatory

completely destroyed him. He started to show signs of mental breakdown. I tried to cheer him up on multiple occasions, but Frodo had lost a big part of himself after that incident.

I was on the second floor that day, meeting a friend to discuss some study topics when the incident occurred. I never thought that Frodo would take this step.

PW 2 - Frodo's Father

My name is Drogo Baggins, and I am a writer working in a national daily. My son was a very bright kid, very opinionated, very bold. Things which we as parents had always taught him to be. We never taught him to be passive about things, he was always pushed to be a vocal member of the community. Last month we got a call from his school and were asked to meet the headmaster. We were surprised to hear the frivolous allegations being made against our child about the publication of some article by him criticizing the headmaster. He told us later that he had nothing to do with that particular article, but that he did approve of a person's right to express themselves. His only respite was the music conservatory.

A child isn't supposed to be curtailed when it comes to his thoughts and ideas. It is the duty of the institution to nurture those thoughts, even if it's a dissenting one. It is utterly disheartening to see the subsequent conduct of the institution. Berating

him in front of the whole school, ostracizing him from multiple activities, and crushing his lifelong dream of being a musician, is this a school or a correctional facility? My child did nothing wrong, he was supposed to become one of the greatest creative minds, and they managed to nip that dream in the bud. I want justice, I want a precedent to be set so that no other student has to go through the turmoil my son went through.

PW 3 - Warden Gandalf

At around 2:00 AM on 02.03.2015, I was conducting my regular night's watch around the hostel. I was surprised to see the light still switched on in room No. 244 and 245. I was aware that the room belonged to Frodo and Sam respectively. I knocked on Frodo's door and did not get any response. Seeing that there was no response for 10 minutes, a few students helping me in breaking the door. As we opened the door, we were shocked to see Frodo hanging from the ceiling fan. Another group opened Sam's door and found him struggling against the noose. It was a horrific sight for all of us. A few students immediately ran to the office to call an ambulance while I helped some of them remove Frodo from the hold. The ambulance arrived within 15 minutes and Frodo was transported to the nearby hospital. When Sam was being taken away in a gurney, I heard him say in a muffled tone, "That was close. The timing was a bit off". I can't be sure of it though. I went back

to my office and called up the headmaster and informed him about the incident. I heard him acknowledge the same, following which there was a disturbance in the call as a result of which I couldn't understand what he said thereafter. The whole incident was truly unfortunate.

RULES & PROCEDURE

REGISTRATION:

The last date to register for CIM 2021 is **12PM Saturday, October 2, 2021**. Interested participants can register through the following link:

https://docs.google.com/forms/d/e/1FAIpQLScV4t-cSAS5hbxrGxOD7FPxmB0wgMlncTXEGL6AqRzGHhyT_g/viewform

No extension for registration shall be granted. Moreover, no delay in registration will be entertained/condoned under any circumstances. In case of multiple registrations by a participant, **only** the **latest registration** entry shall be considered.

REGULATIONS:

A. **Language:** The language of the competition shall be **ENGLISH** only.

B. Eligibility: The competition is open for all bona fide students of Campus Law Centre pursuing the 3-year LL.B. course and are not already a member of the Moot Court Society.

C. Team Composition: There shall be no teams for CIM 2021. All participants shall participate individually.

D. Memorial: The following requirements of a memorial must be followed. Any deviation/non-adherence of the same will be strictly penalised:

The Memorial should **either** be on behalf of the **Appellant** or on behalf of the **Respondent**, but not both. The Word (.doc or .docx) file and the PDF (.pdf) copy of the **final Memorial** should be uploaded through the following link:

https://docs.google.com/forms/d/e/1FAIpQLSfaYorHfAj7Ob_pYfpdNhurNt6cwlBQmtulDg5HK91f8Qd

[Uug/viewform>](#)

The uploaded memorial documents should be named as follows:

CIM 2021 Memorial - <Appellant/Respondent> - <Last 3 digits of your College Roll Number>

Adherence to the above mentioned pattern while naming the file/document is compulsory, as the same will be used to facilitate all future correspondences. Any deviation/non-adherence of the same will be strictly penalised. The size of the file should not be more than 10 MB.

The above-mentioned link for memorial submission shall be opened at **12PM on Friday, October 1, 2021** and shall be closed at **11.59PM on Sunday, October 24, 2021. No memorial shall be accepted beyond the aforementioned date and time under any circumstances.**

To ensure that technical issues/glitches do not create issues or delays with memorial submission,

participants are advised and requested to ensure that they initiate the submission process well before the aforementioned deadline.

Once the memorial has been submitted, no subsequent amendments shall be allowed. If two or more participants are found to have the same/similar memorials, all such participants shall be disqualified and barred from any future attempts of gaining membership to the Moot Court Society.

The format of the memorial should be as follows:

- a. Main Body Text: Times New Roman, Font Size 12, Line Spacing 1.5
- b. Footnotes Text: Times New Roman, Font Size 10, Line Spacing 1.0
- c. A margin measuring 1-inch should be left on all sides of each page.
- d. Each page should be numbered at the bottom centre of the page.

e. The Memorial must not mention any personal details such as your Name, Year, Roll Number, Contact Details, etc. which reveal your identity in any manner. **If any such detail is found on the Memorial, then the memorial and the participant shall be immediately disqualified from CIM 2021.**

The Memorial must necessarily contain (but may not be restricted to) the following, in the order mentioned below:

- a. Front Page
- b. Table of Contents (1 Page)
- c. Index of Authorities (upto 2 Pages)
- d. Statement of Jurisdiction (1 Page)
- e. Statement of Facts (1 Page)
- f. Statement of Issues (1 Page)
- g. Summary of Arguments (upto 2 Pages)
- h. Arguments Advanced (upto 15 pages)
- i. Prayer (1 Page)

No additional facts must be incorporated or relied upon other than those mentioned in the Moot Problem.

The style of footnoting must be consistent. Footnotes must be restricted for providing bare citations only and must not be accompanied by any form of description or explanation of authorities/provisions of law/sections/statutes relied upon.

The front page of the Memorial must be BLUE for Appellant and RED for Respondent.

The cover page of the Memorial must mention the following:

- a. COMMON INDUCTION MOOT 2021, CAMPUS LAW CENTRE
- b. Name and Place of the Court
- c. The Cause Title
- d. Memorial on behalf of <Appellant/Respondent>
- e. Counsel appearing on behalf of <Appellant/Respondent>

The scoring for Memorials will be out of maximum of 30 Marks, which shall be divided as follows:

- a. Application and Appreciation of Facts (5 marks)
- b. Identification and Presentation of Issues (5 marks)
- c. Application of Legal Principles/Provisions, Use of Precedents and Authorities (10 marks)
- d. Logical Structure, Grammar and Style (5 marks)
- e. Consistent Footnoting and Formatting (5 marks)

Oral ROUNDS:

Oral Rounds shall be conducted ONLINE via GOOGLE MEET. Each participant shall get a total of 15 minutes to present their case/pleadings/arguments. The oral arguments must be confined to the issues presented in the Memorial.

The scoring for Oral Arguments will be out of maximum of 70 Marks, which shall be divided as follows:

- a.Application and Appreciation of Facts (15 marks)
- b.Understanding of Law and Procedure (15 marks)
- c.Use of Authorities and Precedents (10 marks)
- d.Response to Questions and Articulation (15 marks)
- e.Advocacy Skills, Court Craft and Demeanour (15 marks)

DRESS CODE:

For Female Counsel: White Shirt with Black/White Pants **OR** White/Black Kurta, White/Black Salwar, Black Blazer (*Blazer is preferable, but not mandatory*).

For Male Counsel: White shirt, Black/White Pants, Tie and Black Blazer (*Blazer is preferable, but not mandatory*).

SELECTION CRITERIA:

- a. There is no win/loss in the competition for any

participant. There is no pre-fixed number of students that will be admitted into the Society through CIM 2021.

b. The cut-off marks for the Memorial Round is 15 marks.

c. The cut-off marks for the Oral Round is 45 marks.

d. All those candidates who are able to secure the above mentioned cut-off marks for BOTH the Memorial and the Oral Round, and have not attracted any penalty or any other disqualification as per the Society rules, will be admitted into the Moot Court Society as its members.

NOTE:

a. The decision of the Judges and the organizers shall be final in all respects.

b. Any misconduct on the part of a participant may attract disqualification, at the sole discretion of the Moot Court Society.

c. Any clarifications, any queries for problems related to memorial submission, or any queries with respect to the competition may be sought by writing to the organisers at [<cim2021.mcs@gmail.com>](mailto:cim2021.mcs@gmail.com) with subject line "**CIM 2021 QUERY**".