



Indian Institute of Technology Kharagpur Rajiv Gandhi School of Intellectual Property Law



In collaboration with

National Human Rights Commission(NHRC)

DATE

7th January, 2025
to
9th January, 2025

THEME

Human Rights &
Technology

RGSOIPL -NHRC NATIONAL MOOT COURT COMPETITION, 2025



PRE-EVENT TIMELINE

MOOT PROPOSITION	
15.11.2024	Moot Proposition
REGISTRATION FEES PAYMENT	
5.12.2024	Last date for Fee Payment
MOOT PROPOSITION RELATED QUERIES	
10.12.2024	Last Date for Submission of Queries
MOOT PROPOSITION RELATED CLARIFICATION	
15.12.2024	Release of Clarification
MEMORIALS	
31.12.2024	Submission of Memorials Soft Copy Latest by 05:00 P.M. at email : mootnhrc@rgsoipl.iitkgp.ac.in



Winner

INR 1,00,000/-



Runners up

INR 50,000/-



Best memorial

INR 21,000/-



Best Researcher

INR 21,000/-



Best Speaker

INR 21,000/-

***(subject to statutory deductions)**



AWARDS

**RGSOIPL -NHRC
NATIONAL MOOT COURT
COMPETITION, 2025**



ABOUT INDIAN INSTITUTE OF TECHNOLOGY KHARAGPUR



source of perfection in Karmic endeavours that leads to Salvation.

The motto of IIT Kharagpur is "योग: कर्मसु कौशलम्". This literally translates to "Excellence in action is Yoga", essentially implying that doing your work well is (true) yoga. This can be traced to Sri Krishna's discourse with Arjuna in the Bhagavad Gita. The quote, in the larger context of the Gita, urges man to acquire equanimity because a mind of equanimity allows a man to shed distracting thoughts of the effects of his deeds and concentrate on the task before him. Equanimity is the

The history of the IIT system dates back to 1946 when a committee was set up by Hon'ble Sir Jogendra Singh, Member of the Viceroy's Executive Council, Department of Education, Health and Agriculture to consider the setting up of Higher Technical Institutions for post war industrial development in India. The 22 member committee headed by Sri N.R.Sarkar, in its report, recommended the establishment of four Higher Technical Institutions in the Eastern, Western, Northern and Southern regions, possibly on the lines of the Massachusetts Institute of Technology, USA, with a number of secondary institutions affiliated to it. With the above recommendations of the Sarkar committee in view, the first Indian Institute of Technology was born in May 1950 in Hijli, Kharagpur, in the eastern part of India. Initially the IIT started functioning from 5, Esplanade East, Calcutta and very soon shifted to Hijli in Sept. 1950. The present name 'Indian Institute of Technology' was adopted before the formal inauguration of the Institute on August 18, 1951, by Maulana Abul Kalam Azad. IIT Kharagpur started its journey in the old Hijli Detention Camp where some of our great freedom fighters toiled and sacrificed their lives for the independence of our country. The history of IIT Kharagpur is thus intimately linked with the history of the Hijli Detention Camp.

ABOUT RAJIV GANDHI SCHOOL OF INTELLECTUAL PROPERTY LAW



The Rajiv Gandhi School of Intellectual Property Law, the first of its kind in the IIT system was set up in 2006. It is a part of the global endeavor to integrate technology and law to build lawyers with expertise to deal with the legal issues in the interface of technology and law. The School offers three programs; LL.B with specialization in IP Rights, LL.M and Doctoral Program in Law. The global perspective is captured well in the academic program in which we offer diverse set of courses. A comparative study

of law from different jurisdictions is also an important feature of many of our courses. Our faculty are a vibrant group drawn from different disciplines of law. They also teach across different IIT departments, conduct various international, governmental as well as sponsored industrial research projects. Our faculty have several international publications. They have won several awards and are members of national as well as international bodies. The School invites several guest faculty, adjunct faculty, industry experts to build practical exposure to students in different areas of law. Workshops, Clinical legal courses, Court room exercises provide the students in-house training in practical aspects. A wide range of electives and breadth subjects offered provide students greater insights into different areas. Our students have won awards at moot court competitions, seminars and conferences. Our alumni are in important positions in industry, law firms, practice, institutions and academia. Many others have started new ventures. RGSOIPL believes in holistic growth. Our aim is to produce lawyers with interdisciplinary strength. RGSOIPL secured the 7th position in the Law Category of the National Institutional Ranking Framework (NIRF) Rankings 2024!

ABOUT NATIONAL HUMAN RIGHTS COMMISSION



The National Human Rights Commission, India has been set up by an Act of Parliament under the Protection of Human Rights Act, 1993 for the protection and promotion of human rights.

The functions of the Commission as stated in Section 12 of the Act and apart from enquiry into complaints of violation of human rights or negligence in the prevention of such violation by a public servant, the Commission also studies treaties and international instruments on human rights and make recommendations for their effective implementation to the Government.

The Commission is responsible for spreading of human rights awareness amongst the masses and encouraging the efforts of all stake holders in the field of human rights literacy not only at the national level but at international level too.

The world looks at NHRC of India as a role model in promoting and monitoring effective implementation of promotion and protection of human rights. The Training Division is responsible for spreading human rights literacy among various sections of the society. As such, it trains and sensitizes various government officials and functionaries of the State and its agencies, non-government officials, representatives of civil society organizations and students on different human rights issues. For this purpose, it collaborates with the Administrative Training Institutions/Police Training Institutions and Universities/Colleges. Besides, it conducts internship programmes for college and university students.

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Human rights are expressions of human dignity, a set of agreed values / norms reflecting the principles of dignity, equality, and freedom. Human rights are inherent to individuals and primarily define the relationship between the individual and the State. The protection of human rights is essential for the development of the people of the country, which ultimately leads to the development of the nation as a whole. India has ratified various international conventions and treaties. Article 253 of the Constitution of India, 1950 empowers the Parliament to make any law in India for implementing any international treaty, agreement, or convention or any decision made at the international conference, association, or other body. Accordingly, there are various laws in force in India for the protection of human rights, to name a few, the Protection of Human Rights Act, 1993 (amended as of 27th July 2019), the Protection of Women from Domestic Violence Act, 2005, Immoral Traffic (Prevention) Act, 1956, Juvenile Justice (Care & Protection of Children) Amendment Act, 2006, Children Act, 1960, etc. This Competition has been devised to create the opportunity for law students, lawyers, advocates, professors, and scholars to learn the evolution, jurisprudence, and development of human rights law both domestically and internationally besides armouring them with research and oratory skills.

MODE AND VENUE OF THE EVENT

The RGSOIPL-NHRC National Moot Court Competition, 2025 will be held from 7th January – 9th January 2025 at the campus of IIT Kharagpur, and will be conducted in offline mode.

RGSOIPL -NHRC NATIONAL MOOT COURT COMPETITION, 2025

COMPOSITION OF THE EVENT The Moot proposition shall delve on the intersection of Human Rights, Constitutional Law & Technology that challenge the contemporary society at large, thereby covering both domestic and international laws governing the same.

ELIGIBILITY **The Competition shall be open to students who are:**

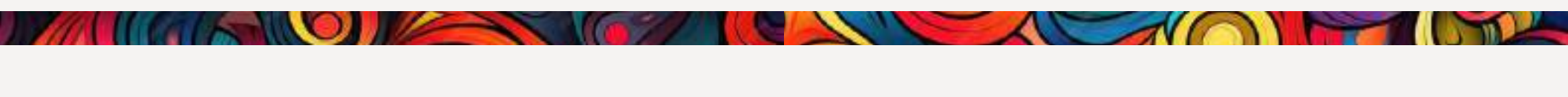
- Pursuing an integrated 5-year LL.B. programme in University/College recognized by Bar Council of India
- Pursuing a 3-year LL.B. programme in India in University/College recognized by Bar Council of India

One team from each institute is eligible to participate in the moot court competition. In case a university has affiliated/constituent colleges, each affiliated/constituent college can register as a team.

Team Composition: Each team shall comprise a minimum of two (2) students and not more than three (3) students. The team composition may be of two (2) speakers only or two (2) speakers and one (1) researcher. The team must, amongst its members, identify the speakers and the researcher at the time of registration itself. No change in team composition is allowed after the formal registration except by the permission of Organizing Committee.

REGISTRATION PROCESS & **T**he parties have to register via the Google Drive link by filling out a registration form that will be released by the Organising Committee.

REGISTRATION FEE **T**he Registration Fee for the Competition shall be INR 5310/- (non-refundable and including GST) per participating team.

- The registration fees is exclusive of accommodation charges. Only one person must make the payment on behalf of all the members of a team.
 - Maximum Participation of 32 teams will be allowed. The participation will be allowed on first come-first serve basis.
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Slots will be reserved after payment of registration fees. The team code will be allotted post registration only.

The participants have to register with the link:

<https://forms.gle/UAweAuw4Khi2min3A>

In the same google form, all the teams are requested to upload Letter of approval from the concerned recognised Institution permitting the team to take part in the competition. After registration through google form, separate link will be shared for the payment of registration fees. Suitable Accommodation will be provided on Payment basis subject to availability. The details will be shared with registered participants.

AWARDS

The achievers in the Competition shall be awarded as follows:

Winner : The Team shall be awarded a prize of INR 1,00,000/- (Indian Rupees One Lakh Only), Memento and Certificate.

Runners up : The Team shall be awarded a prize of INR 50,000/ - (Indian Rupees Fifty Thousand Only), Memento and Certificate.

Best Memorial Award : The Team having the highest average Memorial scores from both sides shall be awarded with a prize of INR 21,000/- (Indian Rupees Twenty-One Thousand Only), Memento and Certificate.

Best Researcher : The Researcher scoring the highest score in the Researcher's Test shall be rewarded with a prize of INR 21,000/- (Indian Rupees Twenty-One Thousand Only), Memento and Certificate.

Best Speaker : The Best Speaker based on preliminary round - INR 21,000/- (Indian Rupees Twenty-One Thousand Only) , Memento and Certificate.

(Prize money is subjected to statutory deductions)]



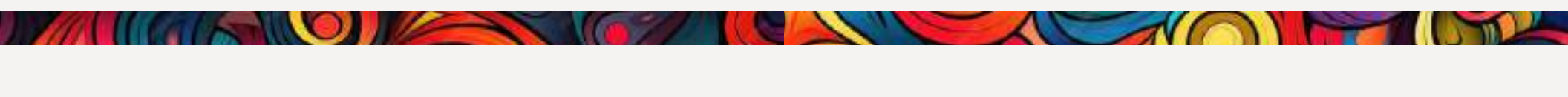
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CLARIFICATIONS WITH MOOT PROPOSITION Clarifications can be sought and Corrections may be requested until the date as notified in the brochure through a Google Form that can be accessed here. Based upon the request received from all Team, Corrections and Clarifications to the Competition Proposition will be published on the date as notified in the brochure. Each Team must receive and adequately note the Corrections and Clarifications in preparation for the Competition. The Organising Committee reserves the right to disseminate and reproduce the memorials for the purposes of the Competition. The Organising Committee will not be responsible for any mistakes or errors that are a part of the memorial.

MEMORIALS Memorials to be prepared from both sides: Each team must submit memorials on behalf of Appellant/Petitioner and Respondent. The memorials shall not contain any form of identification apart from the team code on the upper right corner of the cover page. If any such identification or mark, symbol, etc. which has the effect of identifying the team is found on the memorial, then it shall result in instant disqualification. Appellant/Petitioner memorial is required to have a Blue cover and Respondent memorial is required to have a Red cover.

The hard copy of the memorials must be identical to the soft copies submitted by the team. In case of any violation of this rule, the team shall incur penalty, subject to the decision of Organising Committee. In case of non-identical submissions, the prior submission shall be considered as final.

Teams may prepare a compendium of cases, though the same shall not be a part of the memorial or be used for memorial evaluation purpose.



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SUBMISSION OF SOFT COPY AND HARD COPY OF MEMORIALS

a. Submission of Soft Copy:

The soft copies of the memorial from each side should positively reach the Organising Committee at the mootnhrc@rgsoipl.iitkgp.ac.in in both PDF and Docx./Doc. no later than 31st December, 2024 by 5:00 p.m. A memorial once submitted shall be considered final and cannot be revised. It is the responsibility of the teams to ensure that the electronic copies of the memorials can be opened with Microsoft office as well as Adobe Acrobat Reader 9.

b. Submission of Hard Copy:

Five copies of memorial each side must be submitted by the teams at the time of reporting for the competition on 6th January, 2025.

GUIDELINES FOR FORMATTING

a. Memorial Structure:

The memorial must have the following pages only:

- Cover Page – The cover page shall contain the case title, side of the memorial, year of competition, name of the forum, and team Code in the top right corner
- Table of Contents
- List of Abbreviations
- Index of Authorities
- Statement of Jurisdiction
- Statement of Facts
- Issues Raised
- Summary of Arguments
- Pleadings/Arguments
- Prayer

b. Teams shall cite authorities using Bluebook:

Citation style (21st Edition)



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c. The Cover Page of each memorial must contain only the following information:

- The Team Code in the upper right corner of each memorial
- The name of the forum resolving the dispute
- The name of the Competition
- The Cause Title
- The party on behalf of which the memorial is prepared

d. Team Code:

The team code must be ascribed to the up-right corner of the cover page. The code must be preceded by the side for which the memorial is prepared.

e. Formatting Specifications:

Main body:

- Font Type: Times New Roman
- Font Size: 12
- Line Spacing: 1.5
- Margins: 1 inch on each side

Footnotes:

- Font Type: Times New Roman
- Font Size: 10
- Line Spacing: 1
- Margins: 1 inch on each side

f. Pagination:

The pagination must be done at the bottom of the page.

g. Margin:

A margin of 1 inch on all sides of the memorial should be left.

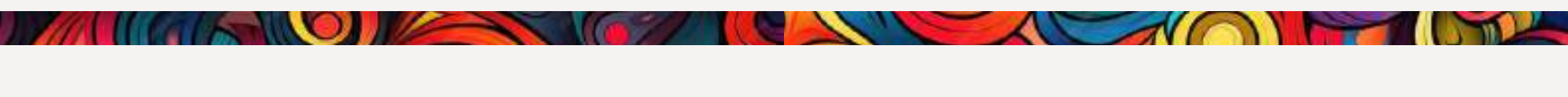
h. Citation Format:

The 21th Edition of Bluebook system of citation should be followed throughout the memorial.

LANGUAGE:

English shall be the official language for the conduct of the Event

The detailed guidelines regarding oral submission timelines for all the stages, qualification for quarter final, semi final, finals will only be communicated with registered teams.



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CONDUCT OF THE TEAMS

Any violation of the prescribed Code of Conduct will invite sanctions which will be decided by the Organising Committee.

The teams are expected to behave with other team members and Judges/Volunteers/Organisers in a dignified manner.

Team should not attempt to influence Judges/Organisers in any manner. Participants are maintain to maintain decorum in the courtroom during the Competition and to conduct themselves in a manner befitting the legal profession.

The teams should not engage in any form of unethical, unprofessional or wrongful conduct during the entire period of Competition.

Participants should not indulge in the consumption/carrying of drugs/ alcohol/ arms or ammunition/ immoral/ illegal activity or any other form(s) of taste/addiction during the course of the Competition.

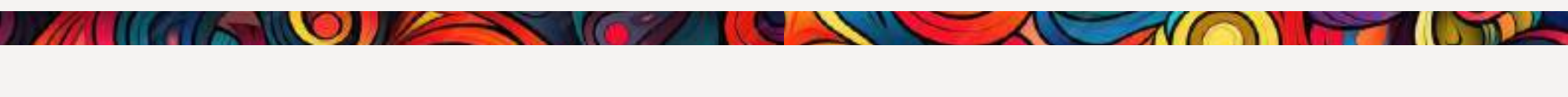
POWERS OF ORGANISING COMMITTEE

The Organising Committee may promulgate any other measures for orderly conduct of the competition. It is anticipated that additional measures will be adopted when Team Registration has been completed.

The Organising Committee reserves the right to make changes in the rule if situation so warrant.

In case of any dispute arising in the interpretation of the rules or otherwise, the decision of the Convenor in consultation with the Organising Committee would be final and binding.

Scores obtained by the teams/participants shall be kept confidential with Organising University. No request regarding the display of marks shall be entertained.





Moot Proposition

1. The Republic of Indmana, a rapidly developing nation with a diverse population, has seen significant advancements in digital technology over the past decade. It is a Union of States comprising 20 States and 5 Union Territories. In May 2024, the Ministry of Civil Aviation introduced a new digital initiative called “YatriTrack,” which is governed by the “YatriTrack Management System Guidelines, 2024” (Guidelines), aimed at modernizing air travel through the use of ‘Facial Recognition Technology’ (FRT) for passenger identification at airports. The Guidelines were established based on the recommendation of the Report published in the year 2022 by the Expert Committee on Improving and Modernizing Air Travel’, though the Expert Committee was not unanimous in its recommendations.

YatriTrack allows passengers to verify their identities using facial biometrics instead of traditional verification of boarding passes/tickets with Government issued ID cards at multiple checkpoints at the airport. The Ministry, vide Notification MOA-YT-001/2024 dated 05.10.2024, made it mandatory to use YatriTrack scanning at all entry gates when boarding from both International and Domestic Airports in the states of Mahasurya, Karnrajya, and Griyaj.

2. The notification further states that YatriTrack Solutions, a Section 8 Company established under the Indmana Companies Act, 2013, is tasked with operating the YatriTrack system and managing the collection, storage, and processing of passengers' biometric data. YatriTrack Solutions was given broad authority over the operation of YatriTrack, which caused the media to raise questions about the delegation of such powers to this entity. It is also made clear in the notification that YatriTrack and all stakeholders shall strictly adhere to the prevailing Data Protection and Digital Security laws. However, certain media reports suggest that YatriTrack Solutions has subcontracted the storage of biometric data to a foreign tech company based in a country which is not fully compliant with international data protection standards

3. On one hand, the Ministry has provided assurances that passengers' data is secure and stored only temporarily, on the other hand, the Guidelines indicate that biometric and personal data collected through YatriTrack may be retained for extended periods and shared with third-party agencies for purposes beyond the verification of identity. Concerns have also been raised about the accuracy of the FRT system, particularly regarding its potential to misidentify certain ethnic, cultural and religious groups, such as women and individuals from minority communities.

4. YatriTrack relies on passengers linking their SUDHAAR (National Unique ID) data to their facial recognition profiles. Passengers are required to upload their personal and biometric data to the YatriTrack app before they arrive at the airport. This data is then used to verify their identity at airport checkpoints via facial scans. The scanning ensures security checks by tracking and recording the data of all visitors.

5. The State of Mahasurya has written a letter to the Ministry of Civil Aviation voicing opposition to the Notification mandating YatriTrack, questioning the Ministry's



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authority to implement the system at state-operated airports without their consent. The state argues that the inclusion of YatriTrack should fall within their jurisdiction, given that airports in these regions are managed by state authorities. While State of Mahasurya opposed the implementation of YatriTrack, the State of Karnrajya and Grijraj have voluntarily implemented the system at all its airports, claiming it improved passenger security and efficiency

6. The Action Committee for Democratic and Human Rights (ACDHR), a non-governmental organization (NGO) that operates independently of the government and works in the public interest to protect democratic and human rights, has approached the Supreme Court of Indmana by way of a Public Interest Litigation petition through its Chairperson, challenging Notification MOA-YT-001/2024 dated 05.10.2024. Among other grounds, the petition states:

- That the notification mandating the use of YatriTrack violates the Fundamental Rights of passengers enshrined under the Constitution of Indmana.
- That the notification is in violation of the principles of Public International Law and several international treaties including the human rights of Foreign Citizens.

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- The notification is in violation of Article 12 of the UDHR and Article 17 of the ICCPR which safeguard the right to privacy and protection from arbitrary interference with one's personal data, stipulating that no individual should be subjected to invasive surveillance without adequate legal justification
- That the issuance of the notification violates the federal structure and the distribution of powers between the Union and the States as outlined in the Constitution.
- That the notification is ultra vires as it is violative of the principles of delegated legislation.
- That the collection, sharing, and storage of data therein involves several concerns pertaining to the privacy of both, Indian and foreign passengers.
- That the data protection provisions in the Guidelines are not enforceable due to the absence of a sound legislative framework pertaining to data protection.

7. The Supreme Court of Indmana issued notice to the Respondent Union of Indmana, wherein the Solicitor General of Indmana appeared for the Respondent and filed a detailed Reply. Among other things, the Reply stated:



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- That the Petition is not maintainable, as the Chairperson of ACDHR has been seen in public meetings with the Chief Minister of the State of Mahasurya. The State of Mahasurya is governed by a political party that is a stark opponent of the party in power in the Union Government, hence the Petitioner has vested interests in the outcome of the petition and lacks locus standi.
- That the Union is empowered to enact laws imposing reasonable restrictions on the fundamental rights of citizens.
- That the Notification does not violate any international laws signed and ratified by the Union of Indmana.
- That the Ministry of Civil Aviation is empowered to issue the notification as YatriTrack relates to a specific function entrusted to the Ministry.
- That the collection, sharing, and storage of data are governed by the Guidelines created upon the recommendation of the Expert Committee, and after discussion and deliberation with stakeholders.
- That the data protection provisions in the Guidelines are backed by a comprehensive legal framework under current law.

In light of the above, participants are required to identify and frame the issues. The Bench has decided to determine the issue of maintainability of the Petition along with the other issues on merits. The Action Committee for Democratic and Human Rights, through its Chairperson, has to argue for the Petitioner, and the Solicitor General has to argue for the Respondent - Union of Indmana.



Note:

1. All references are fictional. The legal system and history of India apply mutatis mutandis, with all its laws (including subordinate legislation), international obligations, and judgments.
2. Participants are advised to devise a litigation strategy. Issues may be argued in the alternative or without prejudice, and can be divided into sub-issues, added to, or amended. Some questions may not have a binary "for-against" argument, and mooters are expected to think as officers of the court before taking a stand on any issue. Written submissions/memorials must address all the issues.
3. Citations without actual paragraph/page references will invite negative marking. Unnecessary citations and passim references should be avoided. For oral arguments, case law references (ratio decidendi and/or obiter dicta) will be preferred (and marked accordingly) over secondary sources like textbooks or commentaries. Primary reference may be made to select treatises recognized as authorities in their own right.

SCHEDULE

7 JAN, 2025

- INAUGURATION AND JUDGES BRIEFING
- RESEARCHER TEST
- MEMORIALS EXCHANGE
- PRELIMINARY ROUNDS

8 JAN, 2025

- QUARTER FINALS
- SEMI FINALS

9 JAN, 2025

- FINALS
- ANNOUNCEMENT OF RESULTS
- PRIZE AND CERTIFICATE DISTRIBUTION



ORGANIZING COMMITTEE

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PROF. VIRENDRA KUMAR TEWARI
DIRECTOR IIT
KHARAGPUR



PROF. DIPA DUBE
PROFESSOR & DEAN
RGSoIPL
IIT KHARAGPUR

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DR. UDAY SHANKAR
Associate Professor
RGSoIPL, IIT Kharagpur
Co-Convenor



**DR. NIHARIKA SAHOO
BHATTACHARYA**
Assistant Professor
RGSoIPL, IIT Kharagpur
Co-Convenor



DR. AVNISH BHATT
Assistant Professor
RGSoIPL, IIT Kharagpur
Convenor



**DR. SHUVRO PRASUN
SARKER**
Assistant Professor
RGSoIPL, IIT Kharagpur
Co-Convenor



DR. SHAKTI DEB
Assistant Professor
RGSoIPL, IIT Kharagpur
Co-Convenor



DR. VARUNA CHAKRABORTY
Assistant Professor
RGSoIPL, IIT Kharagpur
Co-Convenor

COMMITTEE MEMBERS-FACULTY

Dr. Padmavati Manchikanti, Professor, RGSoIPL, IIT Kharagpur

Dr. Raju K D, Professor, RGSoIPL, IIT Kharagpur

Dr. S R Subramanian, Associate Professor, RGSoIPL, IIT Kharagpur

Dr. Shreya Matilal, Assistant Professor, RGSoIPL, IIT Kharagpur

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Dr. Balraj Kaur Sidhu, Assistant Professor, RGSoIPL, IIT Kharagpur

Dr. Gouri Ashok Gargate, Assistant Professor, RGSoIPL, IIT Kharagpur

Dr. Narendran Thiruthy, Assistant Professor, RGSoIPL, IIT Kharagpur

Dr. Prakash Sharma, Assistant Professor, RGSoIPL, IIT Kharagpur

Dr. Varuna Chakraborty, Assistant Professor, RGSoIPL, IIT Kharagpur



CONTACT US



8 6 3 8 0 3 8 1 3 3
9 0 7 8 6 8 6 2 1 7
8 2 5 0 1 3 9 0 1 8



mootnhrc@rgsoipl.iitkgp.ac.in



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