



SCHOOL OF LAW, JUSTICE  
& GOVERNANCE,  
GAUTAM BUDDHA UNIVERSITY  
GR. NOIDA

DATE - 5th - 6th  
FEBRUARY 2022



**P.N. MATHUR**  
**MEMORIAL NATIONAL**  
**MOOT COURT COMPETITION,**  
**2022 (OFFLINE)**

**MEDIA PARTNERS:**



SCHOOL OF LAW JUSTICE AND GOVERNANCE IN ASSOCIATION WITH  
CHAMBERS OF SENIOR ADVOCATE SONIA MATHUR, SUPREME COURT OF INDIA

**CHIEF PATRON**

SH. SURENDRA SINGH, IAS  
(VICE-CHANCELLOR, GBU)

**PATRON**

DR. K. K. DWIVEDI  
(DEAN I/C, SoLJG,  
GBU)

**PATRON**

DR. MAMTA SHARMA  
(HOD, SoLJG,  
GBU)

**TEACHER COORDINATORS**

DR. POONAM VERMA  
(ASSISTANT PROFESSOR,  
SoLJG, GBU)  
(CONVENOR)

MR. GAURAV YADAV  
(FACULTY  
SOLJ&G, GBU)  
(CO-CONVENOR)

MS. GARIMA MATHPAL  
(FACULTY, SoLJG,  
GBU)  
(CO-CONVENOR)

**STUDENT COORDINATORS**

MILIND SARASWAT  
TEJASWINI  
ABHILASHA  
MAHIKA MALIK

YATHARTH CHAUHAN  
ANUSHKA VERMA  
TRIPTI SINGH  
AASHAY

# P.N. MATHUR MEMORIAL NATIONAL MOOT COURT COMPETITION, 2022

## ABOUT THE SCHOOL OF LAW, JUSTICE & GOVERNANCE

Gautam Buddha University—which has been legislatively conceived as “a center of excellence”—has started its ambitious multidisciplinary academic program with the establishment of its School of Law, Justice & Governance in 2011. It is a university for people who have the ideas that make a difference in the world and who love to bring change. The School envisions fostering the advancement of learning, teaching, and research in the fields of law, justice, and governance.

The five-year integrated BA LLB program has been running since July 2012. To nurture the spirit of innovation and research the university has started its Ph.D. program in 2016 and LL.M program in 2017.



## ABOUT GAUTAM BUDDHA UNIVERSITY

Gautam Buddha University, established by the Uttar Pradesh Act (9) of 2002, commenced its first academic session at its 511 acres lush green campus at Greater Noida in August 2008. The University is fully funded by the New Okhla Industrial Development Authority (NOIDA) and the Greater Noida Industrial Development Authority (GNIDA), the undertakings of the Government of Uttar Pradesh. The University is recognized by the University Grants Commission under UGC Act and is a member of the Association of Indian Universities. The School of Law, Justice, & Governance administers a five years Integrated B.A. LLB program. This Programme has been approved by the Bar Council of India.



### **ABOUT SHRI PREM NARAIN MATHUR 1898 -1990**

Prem Narain Mathur, was born in the reputed family of lawyers and administrators in 1898, to Smt Laxmi Devi and Advocate Shri Chhotey Lal Mathur of Nagina (Dist. Bijnor, U.P.). His father commanded great respect and earned repute of a successful lawyer during the colonial era.

His early years were spent in Moradabad and Sambhal, where he received initial education, he completed his B.A. & L.L.B. from the prestigious Canning College Lucknow. After acquiring his law degree, he practiced on Civil side, in his hometown Nagina for almost seventy years. With his promising profession and family background, it was very convenient for him to move to any bigger city and pursue his practice but instead he decided to stay in his small town and dedicated his entire life for the development and upliftment of the lesser privileged and backward classes. He not only inherited legal and administrative acumen genetically but harnessed it to an enhanced height with his vision to reform the society. His expertise in his field soon became widespread and he was regarded as a leading advocate (Vakil) on civil cases, his office was always thronged with people who would come from far to seek his help and legal guidance.

His relentless efforts for girl education bore fruits when the famous Hindu Inter college of Nagina, an all-boys school, opened its doors for the girls. His initiative of admitting his own daughter as the very first girl student, paved the way for many more girls getting admitted for primary education in the school. He pushed for co-education in the school during the period when the 'Purdah' system was much conspicuous amongst the locals. Apart from being an erudite lawyer and a social reformer he took keen interest in the promotion of art and culture by organising plays and dramas. He encouraged sports amongst the youth of the town and initiated sports like Lawn tennis and Billiards in Nagina.

The country's partition in 1947 saw an influx of refugees from Pakistan to many Indian cities including Nagina. He opened his home, the ancestral Haveli, for them and provided them shelter and food, helped them set up businesses. He used his heritage which he inherited from his ancestors in various philanthropical activities and donated most of it to the local inhabitants and poor farmers and also used some in construction of medical facilities for the locals. PN Mathur, was not only a respected advocate, an eminent reformist but a visionary who worked extensively for the betterment of the society and dedicated his entire life for the people. The legacy of Shri Prem Narain Mathur still continues in the future generations.

## MOOT COURT COMPETITION

### 1. PARTICIPATION AND ELIGIBILITY

- 1.1. The Competition is open to all bona fide regular students enrolled in any undergraduate law course or its equivalent in any University or Institute within or outside India recognized by the Bar Council or State Government or Central Government as the case may be.
- 1.2. Each team shall comprise three members i.e. two speakers and one researcher. A team may also be comprised of two members i.e. two speakers only. The composition of the team shall not be changed once a team has registered under any circumstances whatsoever.
- 1.3. The members of the team must be designated as either 'Speaker' or 'Researcher' and such designation shall be conveyed to the Administrators at the time of registration. No researcher under any circumstances shall be allowed to present any arguments during the Oral Rounds.
- 1.4. Changes in the aforementioned designations shall not be made without a request by the responsible Faculty in Charge or Head of the Institution or Department of the Team seeking such change, as the case may be.
- 1.5. The discretion to allow or disallow such change shall solely rest with the administrators depending upon the reasonability of the cause shown, stage of the Competition, and compliance with the aforementioned rules.
- 1.6. No additional member or team coach besides the three or two members, as the case may be, shall be recognized as a participant and be allowed to attend the Oral Rounds.
- 1.7 Due to the pandemic we are unsure whether the event will be **offline or online**. if the situation allows it will be organized offline otherwise it will be conducted online.
- 1.8 In the case of online mode, your **additional accommodation fees** will be **refunded** to your respective bank accounts.

# P.N. MATHUR MEMORIAL NATIONAL MOOT COURT COMPETITION, 2022

## 2. REGISTRATION

**2.1** Interested teams are required to register by sending the following information latest by 31st December 2021 through e-mail with the subject "Registration- GBU National Moot Court Competition" at mootcourtsocietygbu@gmail.com :

Name of the Institution or University

Correspondence of Institution or University

Details of Participants:

**Speaker 1:** Full Name, Contact, E-mail

**Speaker 2:** Full Name, Contact, E-mail

**Researcher:** Full Name, Contact, E-mail iv. Duly filled Registration Form

**Registration Fee: Rs 1500/-** for each participating team consisting of 3 members (**500 each participant for accommodation**), **Total - 3,000/-** to be submitted through Demand Draft, Cheque, or online mode.

The teams for registration are required to send a scanned copy of the Registration Form (PDF Format Only) duly signed and sealed by the Head of the Institution or Department along with the scanned copy of Demand Draft or Cheque drawn in favor of "Gautam Buddha University" latest by **5th January 2022** on mootcourtsocietygbu@gmail.com

The teams are required to send the hard copies of the registration form along with payment by way of Any Online mode via post or by hand to the Administrators latest by **10th January 2022** on the following correspondence:

The Dean (I/C),

School of Law, Justice, and Governance, Gautam Buddha University, Greater Noida

**2.2** The receipt of hard copies of the Registration Form along with the payment to the aforementioned address only shall confirm the participation of a team in the competition. An acknowledgment of the receipt of required documents shall be mailed to the respective Team Members and concerned Faculty along with Team Code Number.

**2.3** Communication with any one of the Team Members shall be deemed to be communication to the entire team for the purposes of this Competition. The administrators shall not be responsible for any error or discrepancies in the details and the Registration Form, in which case the details given in the latter shall prevail.

### **3. ACCOMMODATION**

The accommodation & food will be provided by the university for 2 days inclusive of breakfast, lunch & dinner.

In case, the event is organized online, your accommodation fees will be refunded to your respective bank accounts.

In case of any internet connectivity issue or technical glitch from the side of the participants amounting to their unavailability at the given point of time or amounting to exceeding the time allocated for the said oral round the discretion of the panel judging the round will prevail"(ONLINE MODE)

### **4. CLARIFICATIONS TO THE COMPETITION PROBLEM**

**4.1.** Teams may request clarifications in the Competition Problem via e-mail with the subject "Clarifications- GBU Moot" to mootcourtsocietygbu@gmail.com, latest by 10th January 2022 after which no clarifications shall be entertained.

**4.2.** No clarifications relating to the Competition Problem shall be entertained after the aforementioned date.



## **5. WRITTEN SUBMISSION**

**5.1.** Each team is required to prepare a Written Submission for both the Petitioner/Appellant (as the case may be) and Respondent. The Written submission shall consist of the following mandatory contents:

1. Cover Page (Blue for Petitioner/Appellant, Red for Respondent)
2. Name of the Court
3. Petition/Appeal Number (if any)
4. Name of both the Parties ii. Cause Title iii. Written Submission for Petitioner/Appellant or Respondent iv. Team Code in bold on top right corner
5. Table of Contents
6. Index of Authorities
7. Statement of Jurisdiction
8. Statement of Facts
9. Statement of Issues
10. Legal Pleadings
11. Prayer

The Written Submission should not exceed the maximum limit of 25 Pages (excluding Cover Page and Index of Authorities)



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**Teams should conform to the following specifications-**

**Font type:** Times New Roman

**Font size:** 12

**Line spacing:** 1.5

**Body of text:** Justified

**Margin:** at least 1 inch from all sides

Teams shall follow a uniform style of citation (preferably the Bluebook Method of Citation- 19th edition) throughout their Written Submissions. Footnotes must conform to the following specifications-

**Font type:** Times New Roman

**Font size:** 10

**Line spacing:** 1 Body of text: Justified

**Submission Guidelines:**

All teams shall send the soft copy of the Written Submission for each side in PDF format via electronic mail with the file name "TC No. \_\_ Petitioner/Respondent", on or before 15th JANUARY 2022. The hard copies must be sent latest by 20th JANUARY 2022 to the below postal address:

The Dean office, School of Law, justice, & Governance, Gautam Buddha University, Greater Noida, UP 201308.

Each day of delay shall be penalized with a reduction of 3 marks, with the first reduction being made on 15th January at 12:00 A.M. IST.

## **5.2. EVALUATION CRITERIA:**

<b>S. No.</b>	<b>Criteria</b>	<b>Marks Allotted (100)</b>
1.	Legal Reasoning and Argumentation	30
2.	Articulation of Facts	25
3.	Use of Authorities	25
4.	Presentation	15
5.	Compliance with Rules and Specifications	5

## **6. ORAL ROUNDS**

6.1. The Competition shall consist of the following Rounds:

1. The Preliminary Rounds;
2. The Quarter Finals;
3. The Semi-Finals; and
4. The Final

Before the beginning of the oral rounds of any team, the Speakers of the team shall inform the court marshal regarding the allocation of time between themselves and the time reserved for rebuttal. Once informed, the timings shall not be changed.

If any speaker speaks for more than the time reserved for him/her, the extra time used by such speaker shall be deducted from the time allotted to the second speaker of that team. If the second speaker exceeds the time allotted to him/her, such time exceeded shall be deducted from the time reserved for rebuttals.

In case any opponent team fails to appear in an oral round, the round shall be conducted *ex parte* and the scoring shall be done as if the defaulter team had been presenting and arguing.

### **6.1 PRELIMINARY ROUNDS:**

1. Each team shall argue once from each side on the same day according to the Draw of Lots which shall be notified to the teams shortly after the Opening Ceremony along with the Exchange of Memorials.
2. There shall be two slots for the Preliminary Rounds. Each team shall argue once in each slot from different sides as per the draw of lots.
3. Each team shall strictly get a total time of 15 minutes to argue subject to a minimum of 5 minutes per speaker and a maximum of 3 minutes for the Rebuttals is permitted.
4. Rebuttals shall only be permitted to the Petitioner/Appellant and in no circumstance whatsoever, shall the Respondent be allowed to spare any separate time for Rebuttal.
5. No time extension or sur-rebuttals shall be allowed in any case.

### **6.2. QUARTER FINALS:**

1. Teams with two wins shall proceed to the Quarter-Finals.
2. In case more than 8 teams qualify by way of two wins, the top 8 teams with the highest cumulative scores in both the slots of Preliminary Round combined (out of all the teams with two wins), shall proceed to this round.
3. In case less than 8 teams qualify by way of two wins, the remaining teams shall be chosen on the basis of their cumulative scores in both the slots of the Preliminary Round combined.
4. In case of a tie in scores calculated the team with the higher score in the Written Submission (Memorials) shall proceed to this round.
5. Each team shall strictly get a total time of 25 minutes to argue subject to a minimum of 10 minutes per speaker including a maximum of 5 minutes for the Rebuttals if permitted.

Rebuttals shall only be permitted to the Petitioner/Appellant and in no circumstance whatsoever, shall the Respondent be allowed to spare any separate time for Rebuttal. A time extension for a maximum of 2 minutes may be granted to each team at the discretion of the Judge which shall include sur-rebuttal in the case of Respondent if sought for.

**6.3. SEMI-FINALS:**

1. The winning team of each round shall proceed to the Semi-Finals. In case of a tie, the team with a higher score in Written Submission shall qualify.
2. Each team shall get a total time of 30 minutes to argue subject to a minimum of 12 minutes per speaker including a maximum of 5 minutes for the Rebuttals if permitted.
3. Rebuttals shall only be permitted to the Petitioner/Appellant and in no circumstance whatsoever, shall the Respondent be allowed to spare any separate time for Rebuttal.
4. A time extension for a maximum of 2 minutes may be granted to each team at the discretion of the Judge which shall include sur-rebuttal in the case of Respondent if sought for.

**6.4. FINALS:**

1. The winning team of each round shall proceed to the Finals. In case of a tie, the team with a higher score in Written Submission shall qualify.
2. Each team shall get a total time of 40 minutes to argue subject to a minimum of 20 minutes per speaker including a maximum of 5 minutes for the Rebuttals if permitted.
3. Rebuttals shall only be permitted to the Petitioner/Appellant and in no circumstance whatsoever, shall the Respondent be allowed to spare any separate time for Rebuttal.
4. A time extension for a maximum of 5 minutes may be granted to each team at the discretion of the Judge which shall include sur-rebuttal in the case of Respondent if sought for.

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**6.5 EVALUATION CRITERIA:**

<b>S. No.</b>	<b>Criteria</b>	<b>Marks Allotted (100)</b>
1.	Legal Reasoning and Argumentation	25
2.	Advocacy Skills and Responsiveness	25
3.	Interpretation and Articulation of Facts	20
4.	Use of Authorities	20
5.	Time Management and Court Demeanour	10

**7. AWARDS**

1. **Best Team** - Rs. 25,000
2. **Runner up**- Rs. 20,000
3. **Best Speaker** - Rs. 5,000
4. **Best Memorial** - Rs. 5,000
5. **Best Speaker** - Rs. 5,000

**8. MISCELLANEOUS**

8.1. The teams may contact the following regarding any query related to the event:

Milind Saraswat (9582221184)

Yatharth Chauhan (9319775120)

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- 8.2.** The dress code for the competition as well as during other related ceremonies shall be professional business attire and strictly black and white.
- 8.3.** Any compiled Research Material (Compendium) or other supplementary documents (Soft Copy) may be submitted to the court marshal prior to the oral rounds which will be submitted to the judges at their discretion.
- 8.4.** During the oral rounds, teams shall not be allowed to use any electronic devices such as laptops, LCD projectors, video cameras, etc. and any use thereof shall lead to immediate disqualification or any other penal action as the administrators may deem fit.
- 8.5.** Teams must not reveal their University or country of origin or names of the Participants anywhere in the Written Submission or in the course of the Oral Arguments. Each team must be identified only by the unique team code once it has been allotted and all communications with the administrators or Judges thereafter shall be done through the Team Code only. Violation of anonymity or scouting at any point shall lead to immediate disqualification
- 8.6.** The Administrators reserve the right to amend, modify, change or repeal any of the Competition Rules at any point in time. The Administrators shall communicate any changes made in the Competition Rules to the teams.
- 8.7.** The Administrator(s) reserve the right to make decisions on any matter not mentioned in the Competition Rules. Any such decision taken by the Administrators shall be final and binding.
- 8.8.** No audio or videotaping of oral pleadings is permitted without the permission of the Administrators.
- 8.9.** If a team believes that violation of any of the Competition Rules has taken place at any stage of the competition, the teams within half an hour after the completion of the round wherein a violation has allegedly occurred shall register a complaint with the Faculty/Student and under no circumstances the teams are allowed to approach the Judges for any complaints.
- 8.10.** The Administrators reserve all rights to audio and videotaping, or any other form of audio or visual reproduction, of any oral round or part thereof

## **IMPORTANT DATES**

1. Last Date for Registration	<b>31st December 2021</b>
2. Last Date for the Submission of Memorial	<b>15th January 2022</b>
3. Last Date for sending the hard copies of Memorial	<b>20th January 2022</b>
4. Last Date for seeking clarifications	<b>10th January 2022</b>
5. Orientation & Draw of Lots for the Preliminary Rounds	<b>4th February 2022</b>
6. Preliminary Rounds	<b>5th February 2022</b>
7. Quarter-Finals and	<b>5th February 2022</b>
8. Semi-Finals & Final Round	<b>6th February 2022</b>

## **BANK DETAILS**

Payment mode can be NEFT/RTGS/GOOGLE PLAY/PHONEPE/PAYTM/UPI TRANSFER/BHIM in favour of GAUTAM BUDDHA UNIVERSITY

**BANK NAME** - Punjab National Bank

**BANK BRANCH** - GBU, Greater Noida

**ACCOUNT NO.** - 6660000100000025

**IFSC CODE** - PUNB0666000

**NOTE: Please attach the screenshot and transaction ID  
in the registration form.**

## **MOOT COURT PROBLEM**

The Sovereign Republic of Indica is an independent country located in the South Asian sub-continent. The framers of the constitution kept in mind the cultural, ethnic, and religious diversity prevailing in the country and imbibed provisions for secularism with the Fundamental Rights. Ramgarh is a small town in the State of Rajputanagarh in the northern part of Indica and is popular for forts, castles, and its age-old royal culture. In contrast to the luxurious culture which the historic sites of the state reflect, it is also known for the Sufi movement which begun in the 14th century as a reaction to the popular culture. The Sufi movement demonstrated cultural practices which were heavily criticized by the society at that time but still continued to thrive. One of the offshoots of the movement was Ahinsaism which was heavily centered on meditation and related practices. It was the belief of the followers that it is only through these practices that nearness to the Almighty can be attained. Despite the passage of so many years the practices propagated under Ahinsaism still continue to be followed. Mr. Sureshkishan is a devout follower of Ahinsaism and is greatly influenced by the teachings contained in the Book of Ahinsa which is the most important religious text on which this religion is based. One of the most essential legal practices of Ahinsaism is 'Sanatana' according to which the followers after completing the age of 50 years decide to let go of all the worldly pleasures including food and hence, end their lives to attain moksha. Further, the religion is also focused upon nature-worshipping and the followers often get involved in plantation drives and other nature conservation practices.



Mr. Sureshkishan is also an employee of a multinational company and only in his spare time gets the opportunity to indulge in religious practices. Often he made complaints to the management that his company indulged in practices which resulted in environmental destruction and promoted ecologically sustainable practices in the conduct of day-to-day office work. The long working hours at his office disturbed his psychological well being and he had to take the assistance of a psychiatrist as well. The psychiatrist diagnosed early signs of depression and suggested he undergo therapy. It was also advised to him that he gets involved in whatever soothes his overstressed state of mind. Further, because of the Stressful work environment and his inability to focus on Ahinsaism, he one day decided to opt for 'Sanatana' which according to him was the pathway to God. On coming to know of his intention his friends and family tried to stop him but those requests were of no avail. Ultimately, for the purpose of saving his life, a complaint was filed with the police against Mr. Sureshkrishna, and in furtherance of this, the police officers arrested him under S. 309 of the Indian Penal Code, for committing the offense of attempt to suicide. In the police custody because of his already disturbed mental condition went into a state of depression.

Mr. Sureshkrishna in return approached the Supreme Court and filed a writ petition under Article 32 of the Constitution citing that S. 309 of the IPC was resulting in the violation of his religious rights as prescribed under Article 25 of the Constitution, since, 'Sanatana' was an 'essential legal practice' of Ahinsaism. He further stated that 'Sanatana' is a passive form of death, which he was undertaking because of the grave psychological stress he was facing which was deteriorating his quality of life as protected under Article 21. He further cited the various Supreme Court judgments where the Supreme Court observed that the right to life is not limited to mere animal existence of individuals and goes beyond that and hence, he had a right to end his life. It has further been contended by the petitioner that his religion is also in furtherance of the Constitutional mandate of preserving the environment and promoting ecologically sustainable practices. Since, the fundamental duty as enshrined under Article 51-A (g) states that: "It shall be the duty of every citizen of India to protect and improve the natural environment including forests, lakes, rivers and wildlife and to have compassion for living creatures."

The matter is now listed before the Supreme Court under Article 32 of the Constitution for arguments on the merit of the case. Argue Accordingly

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**ADVISORY COMMITTEE**

**JUSTICE (RTD) VINAY KUMAR MATHUR  
DR. SANTOSH TIWARI  
DR. A.K.SINGH  
DR. C.B. BHARAS  
DR. RAMA SHARMA  
DR. SATISH CHANDRA  
DR. SUMITRA H.  
DR. PRAKASH D.  
DR. PRIYANKA  
DR. SANGEETA WADHAWA**

**CONTACT DETAILS**

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**PHONE: 9582221184**

**EMAIL: milindsaraswat23@gmail.com**

**NAME: YATHARTH CHAUHAN**

**PHONE: 9319775120**

**EMAIL: yatharthchauhan08@gmail.com**

**NAME: TRIPTI SINGH**

**PHONE: 8077599477**

**NAME: VISHWADEEP SINGH**

**PHONE: 9193701906**

**NAME: ARCHANA YADAV**

**PHONE: 9120856084**

**OFFICIAL E-MAIL - [mootcourtsocietygbu@gmail.com](mailto:mootcourtsocietygbu@gmail.com)**

**[REGISTER HERE](#)**

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**REGISTRATION FORM**

**NAME OF THE INSTITUTION:** .....  
**E-MAIL OF THE INSTITUTION:** .....

**DETAILS OF SPEAKER I:**

**NAME:** .....  
**YEAR:** ..... **PROGRAMME:** .....  
**DOB:** ..... **MOBILE No.:** .....  
**E-MAIL ID.:** .....

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LATEST  
PASSPORT SIZE  
PHOTO)

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**DETAILS OF SPEAKER II:**

**NAME:** .....  
**YEAR:** ..... **PROGRAMME:** .....  
**DOB:** ..... **MOBILE No.:** .....  
**E-MAIL ID.:** .....

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**DETAILS OF RESEARCHER:**

**NAME:** .....  
**YEAR:** ..... **PROGRAMME:** .....  
**DOB:** ..... **MOBILE No.:** .....  
**E-MAIL ID.:** .....

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**DETAILS OF THE CONTACT PERSON FROM THE TEAM:**

**NAME:** .....

**MOBILE NO.:** .....

**SIGNATURE OF SPEAKER 1:** .....

**SIGNATURE OF SPEAKER 2:** .....

**SIGNATURE OF TEAM RESEARCHER:** .....

**All team members are bonafide students of the institution.**

.....

**(SIGNATURE AND SEAL OF THE HEAD OF THE INSTITUTION)**

**Date:** .....