

18th M. C. CHAGLA MEMORIAL GOVERNMENT LAW COLLEGE

NATIONAL MOOT COURT COMPETITION

14th & 15th JANUARY, 2012

RULES

1. General

- 1.1 Each team shall comprise three (3) members only, consisting of two (2) speakers and one (1) researcher.
- 1.2 Participation is restricted to bona-fide law students either enrolled in the 3-year L.L.B Law course or the 5-year integrated Law course.
- 1.3 Accommodation and Certification shall **not** be provided to a fourth team member.
 - 1.3.1 Accommodation shall be provided for the 14th and 15th nights of January 2012 only.
- 1.4 The duly filled Registration Form must be scanned and sent via email to mca@glcmumbai.com on or before **21st November, 2011**.
- 1.5 No change in the names of the participants shall be permitted after the receipt of the Registration Form, except at the sole discretion of the Organisers.
- 1.6 The dress code for the participants during the Rounds of the competition shall be Western formals for gentlemen and Western or Indian Formals for ladies.
- 1.7 The teams shall make their own provisions to comply with Clause 1.6.

2. Competition Rounds

- 2.1 The competition rounds shall be held over a period of two days.
- 2.2 There will be two (2) Preliminary Rounds where teams shall argue each moot proposition once [***Moot Proposition A & B***]. Teams will be intimated as to the side that they will represent in each of the Preliminary Rounds on **8th January, 2012** via email along with the corresponding memorial/written submission of their opposing teams. Teams will be required to prepare oral arguments and written submission for all 4 sides. [Petitioner/Respondent for each moot proposition]
- 2.3 A team shall be credited with a win in the Preliminary Rounds if their Round Total as defined in clause 6.3 is greater than that of the opposing team.

- 2.3.1 In the event of a tie in the Round Total of the teams, the team with a higher Memorial Score will be declared as the winner of the round in question.
- 2.3.2 In case the tie persists, the decision of the judges will be deemed to be final.
- 2.4 Eight (8) teams shall advance from the Preliminary Rounds of Argument to the Quarter-Final Rounds of Argument.
- 2.4.1 Teams that have a 2:0 win loss ratio in the Preliminary Rounds shall directly advance to the Quarter-Final Rounds. Such teams shall be seeded according to the Grand Total of their Round Totals in the two Preliminary Rounds ["Preliminary Total"].
- 2.4.2 Teams that have 1:1 win loss ratio shall advance to the Quarter-Final Rounds based on their Total Scores. They shall be seeded after the teams qualifying through with a 2:0 win loss ratio in the Preliminary Rounds, in order of their Total Scores.
- 2.4.3 In case of a tie in the Total Scores in the Preliminary Round, the team with the higher Memorial Score will advance to the Quarter-Final Round.
- 2.5 For the purpose of pairing the (8) teams that advance to the Quarter-Final Rounds, the team seeded *first* in the Seeding Chart will be paired opposite the team seeded *eighth* in the Seeding Chart (Seed 1 vs. Seed 8), the team seeded *second* in the Seeding Chart will be paired opposite the team seeded *seventh* in the Seeding Chart (Seed 2 vs. Seed 7) and all other teams will be paired in such a manner.
- 2.6 The Quarter-Final Round shall consist of one (1) Mooting Round and will be a "Knock-Out" Round where the winner of each Quarter-Final Round pairing will advance to the Semi-Final Round. In the Quarter-Final Round, teams shall argue ***Moot Proposition – A*** alone.
- 2.7 A team shall be credited with a win in the Quarter-Final Round if their Round Total is greater than that of the Opposing Team.
- 2.8 Four (4) teams shall advance to the Semi-Final Rounds of Argument from the Quarter-Final Rounds of Argument. The Semi-Final Round pairing will be according to a draw of lots.
- 2.9 The Semi-Final Round shall consist of one (1) Mooting Round and will be a "Knock-Out" Round. The winner of each Semi-Final Round will advance to the Final Round of Arguments. In the Semi-Final Round, teams shall argue ***Moot Proposition – B***.
- 2.10 A team shall be credited with a win in the Semi-Final Rounds if their Round Total as defined in Clause 6.3 is greater than the opposing team.
- 2.11 Two (2) teams shall advance to the Final Round from the Semi-Final Rounds. The Final Round sides will be according to a draw of lots.

- 2.12 The Final Round shall also consist of one (1) Mooting Round which will be a “Knock-Out” Round where the team with the higher Round Total as defined in Clause 6.3 shall be declared as the Best Team in the Final Round of Arguments, teams shall argue **Moot Proposition – B** again.

3. Memorials

- 3.1 All teams must submit Memorials/Written Submissions for both sides (Petitioner & Respondent) for each Moot Proposition. Thus each team will submit 4 Memorials *in toto*, i.e., one Petitioner and one Respondent Memorial for Moot Proposition A and one Petitioner and one Respondent Memorial for Moot Proposition B.
- 3.2 All teams must submit typed Memorials fulfilling the following specifications:
- 3.2.1 Memorials shall contain the following:
- (i) Index
 - (ii) Index of Authorities.
 - (iii) Statement of Jurisdiction.
 - (iv) Synopsis of Facts.
 - (v) Summary of Arguments.
 - (vi) Body of Arguments.
 - (vii) Conclusion / Prayer.
- 3.2.2 The Memorial shall not be more than forty (40) pages, including the Body of Arguments, which shall not be more than twenty (20) pages.
- 3.2.3 All memorials must have a soft cover and must be spiral bound.
- 3.2.4 The cover page of the Memorial must follow the following colour scheme: **Blue** : Petitioner cover page and **Red** : Respondent cover page.
- 3.2.5 The Memorial shall be typed on A4 size page in Font type: Times New Roman, Font size: 12, Double Spacing & 1 inch margin on all sides. Footnotes: Font size 10, no double spacing.
- 3.2.6 The Memorial must not contain any Annexure/ Photographs / Sketches / Exhibits / Affidavit etc. Violation of the said provision will subject the team to disqualification.
- 3.3 All teams must send **five (5)** copies of the Memorial for each side of both Moot Propositions [20 in all] along with a CD containing the soft copies of the four

memorials in Read-Only Microsoft Word Format by 5:00 p.m. IST on **2nd January, 2012** to the following address:

*The General Secretary
Moot Court Association
Government Law College
'A' Road, Churchgate
Mumbai – 400 020
India*

- 3.4 A covering letter **must** be enclosed with the Memorials specifying the name of the College/University of the participating team.
- 3.5 The identity of the team or the names of the participants should **not** be revealed in the Memorial in any manner whatsoever. Teams disclosing their identity through the memorials will be subject to immediate disqualification.
- 3.6 Participants are advised to carry extra copies of their Memorials for their own use. The copies submitted to the Organisers would be for the use of the Memorial Judges and Bench Judges and shall not be returned to the participants.
- 3.7 After the completion of the Competition, the Organisers shall reserve the right to use the memorials submitted by the participating teams, as they may deem appropriate.
- 3.8 Memorials not following any of the above specifications will be penalised.

4. Marking Criteria for the Memorials

- 4.1 The Memorials will be judged by an expert panel of Judges.
- 4.2 The following will be the Marking Criteria and the Marks Allocated to each category:

S. No	Marking Criteria	Marks Allocated
1.	Depth and Quality of Research	30
2.	Proper & Articulate Analysis and Organization	20
3	Knowledge and Application of Facts	15
4.	Grammar and Style	15
5.	Referencing	10
6.	Presentation	10
Total		100

5. Oral Submissions

- 5.1 As specified hereinabove in clause 1.1, each team shall have two speakers who shall divide the oral submissions between themselves.
- 5.2 During the course of the Oral Submissions no speaker shall reveal his/her identity or the identity of his/her college/university by any means whatsoever.
- 5.3 Each team will have a maximum of 30 minutes to present their Oral Submissions. This would include the time that each team may want to reserve for their rejoinder / sur-rejoinder.
 - 5.3.1 At the commencement of each session of Oral Submissions each team must notify the Court Officer of the amount of time that the team wants to reserve for their rejoinder / sur-rejoinder. A maximum of 5 minutes can be reserved for the rejoinder/ sur-rejoinder.
 - 5.3.2 No speaker will be permitted to address the Court for more than 20 minutes.
 - 5.3.3 At the commencement of each session of Oral Submissions each team shall notify the Court Officer as to the division of time between the 2 speakers.
 - 5.3.4 Five (5) minutes before the completion of the allocated time for each speaker there will be a warning bell, and at the completion of the allocated time for each speaker there will be a final bell.
 - 5.3.5 If any speaker continues to speak after the completion of his/ her time, the additional time which he/ she speaks for will be deducted from the time allocated to his/ her co- speaker, or from the time allocated for the rejoinder and sur-rejoinder, as the case may be. However if permission sought from the Bench is approved, no such deduction shall take place.
- 5.4 The final decision as to the time structure and the right to rejoinder / sur-rejoinder will be that of the Bench Judges.
- 5.5 All teams will be expected to carry with themselves any case law and authorities which they intend to refer to, during the course of their Oral Submissions. ***Teams must note that they will not be permitted to submit any material to the judges if such material bears the name of their College/University.***
- 5.6 During the course of oral submissions the participants cannot submit to the court any material containing pictorial representation whatsoever. Further the participants will not be permitted to make any audio/visual representation nor will they be allowed to use personal computers, laptops and any other technical or mechanical device during their oral submissions.
- 5.7 If at any instance a submission is made with any material in violation to Clause 5.6 and if any picture, sketches, photos, cartoons, caricatures, audio film, video film,

projector-slide or a computer generated image is submitted or presented to court, the teams shall be subject to disqualification.

6. Marking Criteria for the Oral Submissions

6.1 Each Speaker will be marked on a total of 100 marks by each Bench Judge.

6.2 The Round Total will be the aggregate of the total of the two (2) speakers.

6.3 The following will be the Marking Criteria for each Speaker.

S. No	Marking Criteria	Marks Allotted
1.	Knowledge and Application of Relevant Law	25
2.	Interpretation and Use of Facts	20
3.	Ingenuity and Ability to Answer Questions	15
4.	Style, Poise, Courtesy and Demeanour	15
5.	Organisation and Flow of Arguments	15
6.	Reference to Memorials in the course of Arguments	10
Total		100

6.4 The decision of the judges as to the marks allotted to any team shall be final.

6.5 So as to ensure uniformity in the marking system all the judges will be provided with a marking guideline.

6.6 The marks for the Best Memorial Assessment (which will be judged by an expert panel of Memorial Judges) will not be included in the Round Total and will not be included for the purpose of determining the Team and Individual Scores except as specified in clauses 2.3 and 2.4. As has been specified in Clause 6.3, there is a separate marking category for 'Reference of Memorials' in the course of Oral Submissions which will be part of the Oral Submissions Marks and these marks will be awarded by the Bench.

7. Awards

7.1 The following awards shall be presented:

- i) Best Team
- ii) 2nd Best Team
- iii) Best Speaker
- iv) 2nd Best Speaker
- v) Best Memorial

- 7.2 All participants will be presented with Certificates of Participation and all the winners of awards as specified in Clause 7 will be presented with Certificates of Merit and a cash prize.

8. Miscellaneous

- 8.1 No member of any team or any individual connected with any team will be permitted to hear the arguments in any court room in which that team is not one of the contesting teams whilst that team is still in the competition. The Organisers shall take strict action, including disqualification from the competition, against any team found to be scouting through a team member or through any other means.
- 8.2 All Participants are expected to maintain decorum in Court during the rounds of the competition and are expected to conduct themselves in a manner befitting the legal profession.
- 8.3 The Organisers reserve the right to take appropriate action for any unethical, unprofessional and immoral conduct.
- 8.4 The Organisers decision as regards the interpretation of Rules or any other matter related to the competition will be final.
- 8.5 If there is any situation which is not contemplated in the Rules, the Organisers decision on the same shall be final.
- 8.6 The Organisers reserve the right to vary, alter, modify, or repeal any of the above rules if so required and as they may deem appropriate.

9. Requests for Interpretation of the Case study and Rules of the Competition

- 9.1 All requests for interpretation of the case study and rules of the competition must be directed to the General Secretary, Moot Court Association.
- 9.2 Such requests for interpretation must be sent via e-mail to mca@glcmumbai.com and the subject of the e-mail must read "*Request for Interpretation*", on or before **25th December, 2011.**

10. Disclaimer

The Material in the moot court problem is not intended to and does not attempt to resemble any incident or any person living or dead. All material in the problem is fictitious and any resemblance to any incident or person, if any, is not intended, but merely co-incidental.