

RULES FOR
D. M. HARISH MEMORIAL GOVERNMENT LAW COLLEGE
INTERNATIONAL MOOT COURT COMPETITION
13th - 15th FEBRUARY 2009.
MUMBAI, INDIA.

1. Participation in the Competition

- 1.1 Overseas teams may participate in the Competition by making an application to the Organisers via e-mail to mootcourts@glc.edu or by availing of the [online Registration Form](#) or by post at the following address:

The General Secretary
Moot Court Association
Government Law College
'A' Road, Churchgate,
Mumbai – 400020,
India.

- 1.2 The organisers shall invite twelve (12) Indian Universities / Colleges (refer to Annexure I) to participate in the competition based on their past performance in the D. M. Harish Memorial Government Law College International Moot Court Competition ONLY.
- 1.3 Four (4) additional Indian Universities / Colleges shall be selected to participate in the competition based on the Memorial submitted by them on or before 6 p.m. on 5th December, 2008. The Memorials submitted must be in accordance with clause 4.3.
- 1.3.1 The Indian Universities / Colleges applying through the Memorial Round must submit their Registration form by 28th November, 2008.
- 1.3.2 Indian Universities / Colleges selected in accordance with Clause 1.3 shall be notified by 26th December, 2008 if they have been selected to participate in the Competition.
- 1.3.3 Teams selected in this manner shall have the opportunity to improve upon their submitted Memorials and submit a final copy for adjudication along with the other teams.

2. General

- 2.1 Each team shall comprise of a minimum of two (2) members consisting of two (2) speakers and a maximum of three (3) members consisting of two (2) speakers and one (1) researcher.
- 2.2 Accommodation and Certification shall not be provided to a fourth member.
 - 2.2.1 Accommodation will be provided to all participants on the days of the competition. Teams, which intend to arrive earlier, are requested to inform the organisers in advance so that requisite arrangements may be made for the same.
- 2.3 The Registration form completed with all Team Details must be submitted online or sent to the Government Law College on or before 16th December, 2008. 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.
 - 2.3.1. All teams shall be given a “team code” by the Organisers on acceptance of their Registration Form.
 - 2.3.2. Thereafter the teams shall use their designated “team code” for all correspondence with the Organizers.
 - 2.3.3. The same team code must be used by the teams during the submission of Memorials and during all the Rounds of Argument of the Competition.
- 2.4 The dress code for the rounds of the competition shall be as prescribed by the Rules of the Court of Jurisdiction. The dress code for all the functions at the competition shall be western formals for gentlemen and western or Indian formals for ladies.
- 2.5 The teams shall make their own provisions in order to comply with Clause 2.4.of the rules.

3. Competition Rounds

- 3.1 The competition rounds shall be held over a period of three days.
- 3.2 In the Preliminary Rounds, each team shall argue for both the sides (Applicant and Respondent).
- 3.3 A team shall be credited with a win in the Preliminary Rounds if their Round Total as defined in Clause 7.5 is greater than the opposing team.
- 3.4 The top sixteen (16) teams in the Preliminary Rounds shall advance to the Octofinal Round (Round of 16)

- 3.5 The following shall be the system for determining the teams that advance to the Octofinal Round.
- 3.5.1 The sixteen (16) teams that advance to the Octofinal Round shall be seeded to form a *Seeding Chart*.
- 3.5.1.1 Teams that have a 2:0 win loss ratio in the Preliminary Rounds shall directly advance to the Octofinal Round Such teams shall be seeded according to their aggregate score in the Preliminary Rounds.
- 3.5.1.2 Teams that have 1:1 win loss ratio shall advance based on their aggregate score in the Preliminary Rounds.
- 3.5.2 All sixteen (16) teams that advance to the Octofinal Round shall be seeded. The team with the highest aggregate score in the preliminary round will be paired with the team with the lowest aggregate score in the preliminary round, the team with the second highest aggregate score in the preliminary round will be paired opposite the team with the second lowest aggregate score in the preliminary round and all the other teams will be paired in the same manner.
- 3.6 The winner of each Octofinal Round pairing will advance to the Quarterfinal Round (Round of 8)
- 3.6.1 A team will be credited with a win in the Octofinal Final round if their Round Total (as defined in Clause 7.6) is greater than the opposing team.
- 3.6.2 In case of a tie in the Octofinal Round pairing the team with the higher Memorial Score will advance to the Quarterfinal Round (Round of 8).
- 3.6.3 In case a tie persists even after the application of Clause 3.6.2 the team with a higher aggregate score in the Preliminary Round will advance to the Quarterfinal Round.
- 3.7 The winner of each Quarterfinal Round pairing will advance to the Semi-final Round.
- 3.7.1 A team will be credited with a win in the Quarter Final round if their Round Total (as defined in Clause 7.6) is greater than the opposing team.
- 3.7.2 In case of a tie in the Quarterfinal Round pairing the team with the higher Memorial Score will advance to the Semi-final Round.
- 3.7.3 In case a tie persists even after the application of Clause 3.7.2 the team with a higher average of the aggregate score of the Octofinal Round and Preliminary Round will advance to the Semi-final Round.
- 3.8 The winner of each Semi final Round pairing will advance to Final Round
- 3.8.1 A team will be credited with a win in the Semi Final round if their Round Total is (as defined in Clause 7.6) is greater than the opposing team.

- 3.8.2 In case of a tie in the Semi final Round pairing the team with the Higher Memorial Round score will advance to the Final Round.
- 3.8.3 In case a tie persists even after the application of clause 3.8.2 the team with a higher average score of the Quarterfinal Round, Octofinal Round and Preliminary Round (all previous rounds) will advance to the Final Round.

4. Memorials.

- 4.1 All teams must submit Memorials / Written Submissions for both sides. (Applicant & Respondent)
- 4.2 All teams must submit typed Memorials for both sides and the Memorials must fulfil all the following specifications:
- 4.2.1 Memorials must 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.
- 4.2.2 The Memorial shall not be more than forty (40) pages, including Body of Arguments, which shall not be more than twenty (20) pages.
- 4.2.3 The Memorial shall be typed on A4 size page in Font type: Times New Roman, Font size: 12 double spacing & 1 inch margin on each side.
- 4.2.4. The Memorial must be either stapled or spiral bound only.
- 4.2.5. The Cover Page of the Memorial must follow the following colour scheme, Blue for the Applicant Cover Page and Red for the Respondent Cover Page.
- 4.2.6 The Memorial must not contain any Annexure / Photographs / Sketches / Exhibits / Affidavits etc.
- 4.2.7 Memorials that do not comply with the abovementioned specifications will be penalised.

- 4.3 All teams must send Four (4) copies of the Memorial for each side on or before 8th January, 2009 by 6 p.m. (Indian Standard Time) to the following address:

*Mr. Pranay Aggarwal
C/o, Moot Court Association
3/1, Bradys Flats
Sorabh Bharucha Road
Colaba
Mumbai - 400005
India.*

- 4.4 Identity of the team or the names of the participants must not be revealed in the Memorial in any manner whatsoever and all teams must send the Memorial with a covering letter specifying the name of the team and their designated Team Code. Teams disclosing their identity through the Memorials in any form will be subject to disqualification.
- 4.5 In addition, all teams must also an e-mail of the Memorials, **which must be of a “.doc” file extension**, to dmh.memorials@gmail.com, on or before 8th January, 2009 by 6 p.m. (Indian Standard Time). The subject of the e-mail must be *Memorial for team “mention team code”*
- 4.6 The above memorials shall be evaluated according to clause 5.3 of the rules.
- 4.7 The teams are required to carry with them nine (9) copies of the memorials for each side which have to be submitted to the organisers at the time of registration.
- 4.8 Participants are advised to carry extra copies of their Memorial for their own use.
- 4.9 After the completion of the Competition, the Organisers reserve the right to use the Memorials submitted to them, as they may deem appropriate.

5. Marking Criteria for the Memorials

- 5.1 The Memorials will be judged by a special panel of Three Judges.
- 5.2 Every Memorial will be marked on a total of 100 marks and the Team Memorial Marks will be the Average of the total of both the sides. (300 marks)
- 5.3 The following will be the Marking Criteria and the Marks Allocated to each category:

<u>Sr.No</u>	<u>Marking Criteria</u>	<u>Marks Allocated</u>
1.	Knowledge of Facts	10
2.	Knowledge of Law	10
3.	Proper and Articulate Analysis	10

4.	Evidence of Original Thought	10
5.	Grammar and Style	10
6.	Correct Format and Citation	10
7.	Extent and Use of Research	20
8.	Clarity and Organization	20
	Total	100

6. Oral Submissions

- 6.1 As specified hereinabove at 2.1, each team shall comprise of two speakers who shall divide the oral submissions between themselves.
- 6.2 During the course of the Oral Submissions no speaker shall reveal his / her identity nor the identity of their University / College by any means whatsoever.
- 6.3 Each team will have a maximum of 45 minutes to present their Oral Submissions. This will include the time that each team may want to reserve for their rejoinder / sur-rejoinder.
- 6.3.1 At the commencement of each session of Oral Submissions each team must notify the Court Officer of the amount of time that the team reserves for their rejoinder / sur-rejoinder. A maximum of 5 minutes can be reserved for the rejoinder/ sur-rejoinder.
- 6.3.2 No speaker will be permitted to address the Court for more than 30 minutes. This includes the time the speaker addresses the Court during the rejoinder/ sur-rejoinder.
- 6.3.3 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.
- 6.3.4 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.
- 6.3.5 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.
- 6.4 The final decision as to the time structure and the right to rejoinder / sur-rejoinder will be that of the Bench Judges.
- 6.5 All teams will be expected to carry along any case law(s) and authorities to which they intend to refer.

- 6.6 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.
- 6.7 If at any instance a submission is made with any material in violation to of Clause 6.6 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 disqualified from the competition forthwith.

7. Marking Criteria for the Arguments:

- 7.1 Each Speaker will be marked on a total of 100 marks by each Bench Judge.
- 7.2 The following will be the Marking Criteria and the Marks Allocated to each Speaker by each Judge in the Round:

<u>Sr.No</u>	<u>Marking Criteria</u>	<u>Marks Allocated</u>
1.	Knowledge of Law	20
2.	Application of Law to Facts	20
3.	Ingenuity and Ability to Answer Questions	20
4.	Style, Poise, Courtesy and Demeanour	15
5.	Organisation and Flow of Arguments	15
6.	Perusal of Memorials	10
	Total	100

- 7.3 The decision of the judges as to the Marks allocated to any team shall be final.
- 7.4 So as to ensure uniformity in the marking system all the judges will be provided with a marking guideline.
- 7.5 The Round Total for the Preliminary Rounds will be an aggregate of the total marks of each Speaker by each Judge (as indicated in clause 7.2) in the Round and one-sixth (1/6th) of the Team Memorial Marks.
- 7.6 The Round Total for the Octofinal, Quarterfinal, Semi-final and Final Round will be an aggregate total of the marks obtained by each speaker by each judge as indicated in table 7.2

8. Researchers' Test

- 8.1 The Researchers' Test shall be conducted on Day 1 of the Competition.
- 8.2 The test shall be for a duration of sixty (60) minutes only.

- 8.3 The test shall consist of both objective and subjective questions based on General Principles of International Law and the case study (compromis)
- 8.4 If a team comprises of three (3) members, then ONLY the Researcher is eligible to take the test.
- 8.5 If a team comprises of two (2) members then one of the two members shall be eligible to take the test. However the team must notify the organizers as to which of the two team members shall take the test.

9. Awards.

- 9.1 There will be a Rolling Trophy and a cash prize for the Best Team and 2nd Best Team teams.
- 9.1.1 Cash prize: for the Best Team will be Rs. 20,000/- and; for the Runner-up team will be Rs. 16,000/-.
- 9.2 There will be a Rolling Trophy and a cash prize for the Best Memorial and Runner-up Memorial.
- 9.2.1 The cash prize: for the Best Memorial will be Rs. 8,000/- and for the Runner-up will be Rs. 6,000/-.
- 9.2.2 The Memorials for the Best Memorial Awards will be assessed by a special panel of Memorial Judges.
- 9.3 There will be awards and cash prizes for the Best Speaker and 2nd Best Speaker.
- 9.3.1 The cash prize: for the Best Speaker will be Rs. 10,000/- and for the Runner up speaker will be Rs. 8,000/-.
- 9.3.2 The Best Speaker and Runner up Speaker Awards will be determined by highest aggregate score of all rounds that the contestant has argued divided by the number of rounds.
- 9.4 There will be an Award and Cash Prize of Rs. 10,000/- for the Best Researcher.
- 9.5 All participants will get Certificates of Participation and all the winners of awards specified in 9.1 to 9.4 will get Certificates of Merit.

10. Miscellaneous

- 10.1 No member of 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 ejection from competition, against any team found to be scouting through a team member or through any other means.

- 10.2 All Participants are expected to maintain decorum in the Court during the competition and are expected to conduct themselves in a manner befitting the legal profession.
- 10.3 The Organisers reserve the right to take appropriate action for any unethical, unprofessional and immoral conduct.
- 10.4 The Organisers decision as regards the interpretation of rules or any other matter related to the competition will be final and binding.
- 10.5 If there is any situation which is not contemplated in the rules, the Organisers decision on the same shall be final and binding.
- 10.6 The Organisers reserve the right to vary, alter, modify, or repeal any of the above rules without any prior notification, if so required and as they may deem appropriate.

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

- 11.1 All requests for interpretation of the case study and rules of the competition must be directed to the General Secretary, Moot Court Association.
- 11.2 Such requests for interpretation must be sent via e-mail to dmh.glc@gmail.com. The subject of the e-mail must read *"Request for Interpretation"*

12. Disclaimer

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

Annexure I

The following twelve (12) Indian Colleges have directly qualified for the D.M. Harish Memorial Government Law College International Moot Court Competition, 2009 based on their past performances in the above mentioned Moot Court Competition ONLY.

(Please note that this list is in no particular order)

1. National Law School of India University, Bangalore
2. NALSAR University of Law, Hyderabad
3. West Bengal National University of Judicial Sciences, Kolkata
4. National Law University, Jodhpur
5. Amity Law School, New Delhi
6. Indian Law Society's Law College, Pune
7. Gujarat National Law University, Gandhinagar
8. Government Law College, Mumbai
9. University Law College, Bangalore
10. School of Excellence in Law, Chennai
11. National Law Institute University, Bhopal
12. Symbiosis Law School, Pune