

D M HARISH MEMORIAL – GOVERNMENT LAW COLLEGE

INTERNATIONAL MOOT COURT COMPETITION

FEBRUARY 11 TO 13, 2005, MUMBAI, INDIA

1. Participation of Teams

- 1.1 Overseas teams may participate in the Competition by making an application to the Organisers via email to mootcourts@glc.edu or by post at the following address:

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

- 1.2 The organisers shall invite 13 Indian colleges to participate in the competition directly.

- 1.3 Apart from the 13 Indian colleges which will be invited under Clause 1.2, 7 Indian colleges shall be selected on the basis of the memorials which they may send to the organisers by 22nd January 2005, 6 p.m. at the specified address under clause 3.3 of the rules. The organisers shall intimate such colleges of their qualification for the competition on the basis of the scores secured by these teams after evaluation of the memorials. All teams sending memorials for the competition shall be awarded certificates for the same.

2. General

- 2.1 Each team shall comprise of 3 (three) members consisting of 2 (two) speakers and 1 (one) researcher.
- 2.2 Accommodation shall be provided only to participants.
- 2.2.1 Accommodation will be provided for the 10th, 11th, 12th & 13th nights, of February 2005. Teams, which intend to arrive on 10th February, 2005, are requested to inform the Organisers in advance so that necessary arrangements may be made.
- 2.3 The Team Details form must be sent to the Government Law College by 15 January 2005. No change of participants shall be permitted after the names are sent, except at the sole discretion of the Organisers.
- 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 to comply with Clause 2.4. of the rules.

3. Rounds.

- 3.1 The competition rounds shall be held over a period of two days, i.e. 12th and 13th February 2005 (the Inauguration Function, the Orientation and the Written Test for the Best Researcher Award will be held on 11th February 2005).
- 3.2 In the preliminary rounds, each team shall argue for both the sides (Applicant's and Respondent's). The Semi-Finals shall be a league round, with each semi-finalist arguing against the other semi-finalist.
- 3.3 The following shall be the system for determining the Semi-finalists:
 - 3.3.1 At the end of the preliminary rounds, the top four teams with the highest Aggregate Score in the Preliminary Rounds shall qualify for the semi-finals.
 - 3.3.1.1 At the end of the Preliminary Rounds, the teams with a 2:0 win: loss ratio will be given a bonus of 120 marks to be added to their Aggregate Score.
 - 3.3.1.2 A team shall be credited with a win if their Round Total as defined in clause 7.1 is greater than that of the opposing team.
 - 3.3.1.3 In the case the Round Total of the two teams is the same, the team with higher memorial marks shall be credited with a win.
 - 3.3.2 If there is a tie for the semi - finalist position, the team with the better win: loss record shall qualify for the semi-finals.
 - 3.3.3 In case the teams mentioned in Clause 3.3.2 have the same win: loss record, the team with the higher margin of victory / victories minus the margin of loss (es) in each round, if any, shall qualify for the semi-finals.
 - 3.3.4 If there is a tie after applying the clause 3.3.3, then the team with the higher memorial marks shall qualify for the semi-finals.
- 3.4 The following shall be the system for determining the Finalists:
 - 3.4.1 At the end of the semi-final rounds, the two teams with the best win: loss ratio in the semi-finals shall qualify for the finals.
 - 3.4.2 In the event that there is a tie for the finalist position after the application of Clause 3.4.1, the team with the highest Aggregate Score in the Semi-Final rounds shall qualify for the Finals.
 - 3.4.3 In case there is a tie after applying the clause 3.4.2, the finalists will be determined on the basis of the procedure laid down in clauses 3.3.3 and 3.3.4, followed in that order.

4. Memorials.

- 4.1 All teams must submit Memorials/ Written Submissions for both sides.
- 4.2 All teams must submit typed Memorials for both the sides fulfilling all the following specifications:
 - 4.2.1 Memorials shall contain 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 40 (forty) pages, including Body of Arguments, which shall not be more than 20 (twenty) 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 not contain any Annexure/ Photographs / Sketches / Exhibits / Affidavit etc.

4.2. Memorials not following the above specifications will be penalised.

4.3 All teams must send Three (3) copies of the Memorial for each side along with a floppy or CD and e-mail a soft copy of the Memorials as a Read-Only MS-Word document to dmhmoot@gmail.com, on or before 22nd January 2005, 6 p.m. (Indian Standard Time). Teams must send their memorials to the following address:

Mr. Shreyas Sridhar
General Secretary, Moot Court Association
1304, Wallace Apartments,
Sleater Road,
Mumbai 400007
India.

4.4 The above memorials shall be evaluated according to clause 5 of the rules. These marks shall be added to the marks secured by each team in their oral arguments to form the Round Total as per Clause 7.1.

4.5 The teams may amend their memorials after 22nd January 2005 for the perusal of judges during the oral submissions. However, these amended memorials shall not be evaluated and shall not affect the Memorial Marks.

4.6 The teams are required to carry with them seven (7) copies of the memorials for each side (with amendments) to be submitted to the organisers at the time of registration on 11th February 2005.

- 4.7 Participants are advised to carry extra copies of Memorial for their own use.
- 4.8 Identity of the team or the names of the participants should not be revealed in the Memorial in any manner whatsoever and the teams should send the Memorial with a covering letter specifying the name of the team. Teams disclosing their identity through the Memorials in any form will be subject to disqualification.
- 4.9 After the completion of the Competition, the Organisers reserve the right to use the Memorials submitted to them, as they deem appropriate.

5. Marking Criteria for the Memorials

- 5.1 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.
- 5.2 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.	Extent and Use of Research	20
5.	Clarity and Organisation	20
6.	Correct Format and Citation	10
7.	Grammar and Style	10
8.	Evidence of Original Thought	10
	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 or her identity nor the identity of their college/ university 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 5 (Five) 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 with themselves any case law and authorities which they intend to refer to.
- 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 Oral Submissions

- 7.1 Each Speaker will be marked on a total of 100 marks per judge. The Round Total will be the aggregate of the total of the marks for oral submission of the 2 (two) speakers plus Memorial marks.
- 7.2 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 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 marks for the Best Memorial Assessment to be judged as per clause 5 of the rules will be counted in the Round Marks and will be included for the purpose of determining the Round Total.

8. Awards.

- 8.1 There will be a Rolling Trophy and a cash prize for the winning and Runner-up teams.
- 8.1.1 Cash prize: for the Best Team will be Rs. 12,000/- and; for the Runner-up team will be Rs. 9,000/-.
- 8.2 There will be a Rolling Trophy and a cash prize for the Best Memorial and Runner-up Memorial.
- 8.2.1 The cash prize: for the Best Memorial will be Rs. 4,500/- and for the Runner-up will be Rs. 3,000/-.
- 8.2.2 The Memorials for the Best Memorial Awards will be assessed by a special panel of Memorial Judges.
- 8.3 There will be awards and cash prizes for the Best Speaker and Runner up Speaker.
- 8.3.1 The cash prize: for the Best Speaker will be Rs. 4,000/- and for the Runner up speaker will be Rs. 3,000/-.
- 8.3.2 The Best Speaker and Runner up Speaker Awards will be determined by Highest of:- aggregate score of all rounds that the contestant has argued divided by the number of rounds.
- 8.4 All participants will get Certificates of Participation and all the winners of awards specified in 8.1 to 8.3 will get Certificates of Merit.

9. Miscellaneous

- 9.1 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.

- 9.2 All Participants are expected to maintain the decorum in the Court during the competition and are expected to conduct themselves in a manner befitting the legal profession.
- 9.3 The Organisers reserve the right to take appropriate action for any unethical, unprofessional and immoral conduct.
- 9.4 The Organisers decision as regards the interpretation of rules or any other matter related to the competition will be final.
- 9.5 If there is any situation which is not contemplated in the rules, the Organisers decision on the same shall be final.
- 9.6 The Organisers reserve the right to vary, alter, modify, or repeal any of the above rules if so required and as they deem appropriate.

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.