

## The ICFAI University Sikkim 1st National Moot Court Competition 2018

### Rules of the Competition

#### 1. **ELIGIBILITY:**

- 1.1 The Competition is open to all *regular* students of undergraduate law courses conducted by Law Colleges/Schools/Universities/Departments recognized by the Bar Council of India.
  - 1.2 Students of both three years and five years integrated law programmes can participate in the competition.
  - 1.3 Students of correspondence course or students pursuing LL.M are not eligible.
  - 1.4 Only one team from a Law College/School/University/Department shall be permitted to participate in the competition.
  - 1.5 The participation shall be restricted to the first 12 Teams who confirm their participation on first come first serve" basis.
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#### 2. **TEAM COMPOSITION:**

- 2.1 Team shall comprise maximum of three members consisting of two Mooters and one researcher specifically designated.
  - 2.2 In case team comprises of only two members, both of them shall be considered as Mooters only.
  - 2.3 No additional member from any team shall be allowed.
  - 2.4 Once a Team is duly registered, no further changes are allowed in their composition.
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#### 3. **ANONYMITY OF TEAMS:**

- 3.1 No Team shall disclose its identity, name of its institution or name of the place in any manner during the competition.
- 3.2 Secret Code shall be allotted to each team as soon after the completion of their registration. The code assigned shall only be used for all further communications and submission of the memorials.
- 3.3 Memorials as well as Annexures shall not contain any photograph, sketches, exhibits, affidavits, logo, name, Mark, seal etc. which could reveal the identity of either the participants or their institution or their city in any manner.
- 3.4 Any material presented to the panel should be devoid of any identification marks/seal of the Team.

3.5 No scouting is allowed.

3.6 Violation of any rule/s mentioned above may lead to disqualification of that team from the competition. The decision of the Organizers in this regard shall be final and is not subject to any further challenge/s.

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#### 4. **REGISTRATION:**

4.1 In order to confirm Participation, team must register itself within the stipulated time.

4.2 The provisional registration will remain open till **OCTOBER 19, 2018 (11.59 P.M. IST)**.

4.3 The Registration Fee is INR 2,000/- which shall be payable through Demand Draft only.

The Demand Draft shall be made in the favour of "*The ICFAI University Sikkim*", payable at "*Gangtok*".

4.4 The Registration process is as follows:

- i. Fill the Registration Form and Accommodation Form sent along with the Invitation or Download the Registration Form and Travel Form from the official website i.e. [www.iusikkim.edu.in](http://www.iusikkim.edu.in).
- ii. Scan the duly filled Registration Form, Accommodation Form and Demand Draft.
- iii. Send the scanned copy of all i.e. Registration Form, Travel Form and Demand Draft via e-mail to [mootcourt@iusikkim.edu.in](mailto:mootcourt@iusikkim.edu.in) till October 19, 2018 (11.59 P.M. IST).
- iv. Send the Original Demand Draft and Travel Form along with the Registration Form (Hard Copy) to "*The Coordinator, The ICFAI University Sikkim 1st National Moot Court Competition-2018, School of Legal Studies, The ICFAI University Sikkim, Sichey, Ranka Road, Gangtok, East Sikkim, 737101.*"
- v. The Original Demand Draft and Accommodation Form along with the Registration Form (Hard Copy) shall reach us on or before October 19th, 2018.
- vi. "**Registration Form -The ICFAI University Sikkim 1st National Moot Court Competition-2018**" must be super scribed on the envelope containing the Original Demand Draft, Accommodation Form and Registration Form.

4.5 Forms received after the deadline i.e. October 19, 2018 shall not be considered for registration.

4.6 Participation of the team shall be confirmed by the Organizers as soon as the mail annexed with scanned copies of Demand Draft, Travel Form and Registration Form is received.

4.7 The Registration Fee is non-refundable and no claim for refund of fee shall be entertained.

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## **5. DATE AND VENUE OF THE COMPETITION:**

**5.1** Competition is scheduled from 16<sup>th</sup>, 17<sup>th</sup> and 18<sup>th</sup> November 2018 at School of Legal Studies, The ICFAI University, Sikkim.

**5.2** Teams are expected to reach the venue on 16<sup>th</sup> November, 2018 by 10:00 a.m. or before registration.

**5.3** The orientation for the Competition would be held at The ICFAI University Campus, Sikkim on 16<sup>th</sup> November 2018 as per the schedule.

**5.4** The Preliminary and Quarter Final Rounds of the Moot Court Competition will be held on 17<sup>th</sup> of November 2018.

**5.5** The Semifinal round and Final Rounds of the Moot Court Competition will be held on 18<sup>th</sup> November 2018.

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## **6. LANGUAGE:**

**6.1** The official language of the moot court competition shall be English and the entire proceedings in the competition, written as well as oral, shall be in English only.

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## **7. DRESS CODE:**

**7.1** The official Dress Code inside the Court Room during the Competition is as follows:

➤ **Female:** (i) Black/White Salwar, White Kurta with Black Blazer and Formal Black Sandles, or (ii) White Shirt, Black Trousers with Black Tie, Black Blazer and Formal Black Shoes.

➤ **Male:** White Shirt, Black Trousers with Black Tie, Black Blazer and Formal Black Shoes.

**7.2** The Dress Code shall be as prescribed for Advocates. However, Collar Bands and Advocates' gowns are not permitted.

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## **8. SUBMISSION OF MEMORIALS:**

**8.1** There will be two separate moot court problems. First problem (referred to as **Problem-I** hereinafter) will be for Preliminary rounds and Quarter Final Round. The second problem (referred to as **Problem-II** hereinafter) will be for Semi-Final Round and Final Round. Both propositions are attached with the invitation.

**8.2** The teams shall prepare well-researched moot court memorials for both sides, the Petitioner and the Respondent, for both problems.

Soft copy of **Written Memorials of Problem –I** for both the sides shall be sent to the organizers with the Subject "*First Memorial Submission for 2018 by Team Code*" on or before **October 21, 2018** by 05:00 P.M. (IST) via e-mail at [mootcourt@iusikkim.edu.in](mailto:mootcourt@iusikkim.edu.in) and Six hard copies of the same from both the sides (six from Petitioner's side and six

from Respondent's side) shall be sent to the following address : to ***"The Coordinator, The ICFAI University Sikkim 1st National Moot Court Competition-2018, School of Legal Studies, The ICFAI University Sikkim , Sichey, Ranka Road, Gangtok, East Sikkim,737101*** which shall reach us on or before **28<sup>th</sup> October 2018** by 05:00 P.M. (IST).

**"First Memorial Submission for The ICFAI University Sikkim 1st National Moot Court Competition-2018"** must be super scribed on the envelope containing the same.

Soft copy of **Written Memorials of Problem –II** for both the sides shall be sent to the organizers with the Subject ***"Second Memorial Submission for 2018 by Team Code"*** on or before **October 29, 2018** by 05:00 P.M. (IST) via e-mail at **mootcourt@iusikkim.edu.in** and Six hard copies of the same from both the sides (six from Petitioner's side and six from Respondent's side) shall be sent to the following address : to ***"The Coordinator, The ICFAI University Sikkim 1st National Moot Court Competition-2018, School of Legal Studies, The ICFAI University Sikkim , Sichey, Ranka Road, Gangtok, East Sikkim,737101*** which shall reach us on or before **November 10, 2018** ,by 05:00 P.M. (IST)

- 8.3** Any submission after 05:00 P.M. (IST) shall be considered as late submission. Late submission of written memorials (softcopy as well as hardcopy) would result in deduction of 2 marks from each succeeding date.
- 8.4** No submission is allowed after **October 21 , 2018** and **October 29, 2018** for Problem-I and Problem- II respectively, except at the sole discretion of Organizers. Decision of the Organizers shall be final in this regard.
- 8.5** Separate files must be attached while submitting softcopy of Written Memorial of any problem i.e. Written Submission for Problem-I (Petitioner), Written Submission for Problem-I (Respondent) and Written Submission for Problem-II (Petitioner), Written Submission for Problem-II (Respondent). **Files must be in Adobe PDF format.**
- 8.6** Indicate only the **Team Code**, Name of the Case, Year of the Competition, Name of the Forum of Dispute and the Party for which the written memorial is prepared, on the Cover Page.
- 8.7** The identity of the College/University shall not be revealed anywhere in the Memorial. However, the Memorial shall be appended along with a covering letter containing the details of the participating college. (By Separate Attachment)
- 8.8** Memorials as well as Annexures shall not contain any photograph, sketches, exhibits, affidavits, logo, name, Mark, seal etc. which could reveal the identity of the team or their institution or their city in any manner.
- 8.9** No delays caused by the courier companies shall be considered. Teams are advised to send the soft copies as well as the hard copies well in time taking into account all contingencies.
- 8.10** There shall not be any disparity between softcopy and hardcopies submitted for both problems. Violation of this rule may lead to disqualification of the team and decision of the organizers shall be final in this regard.

**8.11** Memorials once submitted shall not be returned to the participants in any case nor shall any revision, amendment be allowed after submission of the memorials. However, Teams may carry annexures along with and can submit them in the beginning of each round.

**8.12** Teams are required to carry additional hard copies of their written memorials for their personal reference, which are excluded from the copies already submitted. Organizers are not bound to help teams in such case by providing the copies of memorials submitted.

**8.13** All memorials received within the time schedule will be evaluated by the Memorial Evaluation Committee (MEC) to be constituted by the Coordinator, Faculty of Law, the ICFAI University, Sikkim. Evaluation done shall be final and binding.

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## **9. FORMAT OF WRITTEN MEMORIALS:**

**9.1** Written Memorials shall strictly comply with the format given below:

1. Cover Page
2. Table of Contents
3. List of Abbreviations
4. Index of Authorities/Table of cases
5. Statement of Jurisdiction
6. Statement of Facts
7. Statement of Issues
8. Summary Arguments
9. Arguments Advanced
10. Prayer
11. Bibliography

### **9.2 General Formatting Rules:**

- 1) The written memorial shall not exceed 25 pages all inclusive.
- 2) The written memorials shall be typed on **A-4 sized** paper, with the following mandatory specifications:-

- Font Type: Times New Roman
- Font size: 12
- Heading Font Size: 14
- Line Spacing: 1.5
- Body of Text: Justified

*For Footnotes, the formatting specifications are as follows:*

- Font Type: Times New Roman
- Font size: 10

- Single Spacing
  - Paragraph Spacing: 0
  - No additional Space between 2 footnotes
  - Body of Text: Justified
- 3) Memorials must have one inch margin on all sides of each page.
  - 4) Pages must be numbered at the Bottom Middle.
  - 5) The written memorials must not contain any borders.
  - 6) Footnotes should be limited only to citations and must not contain extra information or arguments.
  - 7) The cover page of the Memorial for Petitioners shall be Blue in colour and for Respondents shall be Red in colour.
  - 8) The foot noting shall be as per universally accepted standards with consistency i.e. The Oxford University Standard for Citation of Legal Authorities (OSCOLA) format.
  - 9) Memorials shall be typed and spirally bound with soft cover.
  - 10) Memorials should not contain anything else apart from the above specified format.

**Note:** Any violation of formatting rule/s may lead to negative marking and sole discretion and final decision will be of organizers in this regard.

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**10.STRUCTURE OF THE COMPETITION:**

- 10.1 The Competition shall be held over a period of Three days from 16<sup>th</sup> 17<sup>th</sup> & 18<sup>th</sup> of November 2018. The inaugural function and the orientation of participants will be held on 16<sup>th</sup> November 2018.
  - 10.2 The competition shall consist of Four Rounds: Depending on the Number of teams
    1. Preliminary Rounds
    2. Quarter Final Round
    3. Semi-Final Round
    4. Final Round
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**11.COMPETITION PROCEDURE: PRELIMINARY ROUNDS**

- 11.1 The Preliminary Rounds are scheduled for 17<sup>th</sup> November 2018 and Problem-I will be used for these rounds.
- 11.2 There shall be only one round and teams will speak from only one side which shall be chosen by draw of lots. The opponent Team shall also be decided by draw of lots.

- 11.3** Teams shall exchange memorials with opponent Teams immediately after the draw of lots.
- 11.4** The side of the Party and Opposite teams for Preliminary Round I and II in Moot Court Competition shall be chosen by draw of lots during the orientation program on 16<sup>th</sup> November 2018 at the University Seminar Hall.
- 11.5** No two teams will argue against each other more than once in the preliminary rounds.
- 11.6** Each preliminary round will be for a period of 90 minutes all inclusive. Each team will be given maximum **30 minutes** only which should be divided between the two mooters at the discretion of team itself. However, one speaker shall not exceed a maximum of 20 minutes. 10 minutes are reserved for rebuttal excluding the allotted 30 minutes time available for the team. One speaker or both speakers dividing the 10 minutes time between them may present the rebuttal for the team. Sur rebuttal is not allowed. Remaining time may be used by Judges for questioning.
- 11.7** Each of the Court Rooms shall be presided over by a minimum of two judges.
- 11.8** The Score and Rankings of the team as per their performance at Preliminary Rounds will be declared at the end of both the Preliminary Rounds.
- 11.9** At the end of the Preliminary Rounds the top 08 teams will qualify for the Quarter Final.
- 11.10** For Deciding the Winner, marks of Oral Rounds as well as the marks of Written Memorial will be calculated and team scoring higher total will be declared as winner.
- 11.11** In case of a tie, decision will be based only on total oral scores in both rounds. If the tie still persists decision of the Organizers shall be final.
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## **12. COMPETITION PROCEDURE: QUARTER FINAL ROUND**

- 12.1** The Quarter Final Round is also scheduled for 17<sup>th</sup> November 2018 and Problem-I will be used for this round also.
- 12.2** There shall be only one round and teams will speak from only one side which shall be chosen by draw of lots. The opponent Team shall also be decided by draw of lots.
- 12.3** Teams shall exchange memorials with opponent Teams immediately after the draw of lots.
- 12.4** Quarter Final Round will be for a period of 90 minutes all inclusive. Each team will be given maximum **30 minutes** only which should be divided between the two mooters at the discretion of team itself. However, one speaker shall not exceed a maximum of 20 minutes. 10 minutes are reserved for rebuttal excluding the allotted 30 minutes time available for the team. One speaker or both speakers dividing the 10 minutes time between them may present the rebuttal for the team. Sur rebuttal is not allowed. Remaining time may be used by Judges for questioning.
- 12.5** Each of the Court Rooms shall be presided over by a minimum of two judges.

- 12.6 The Score and Rankings of the team as per their performance at Quarter Final Round will be declared at the end of the Round.
  - 12.7 At the end of the Quarter Final Round top 4 teams will qualify for Semi-Final.
  - 12.8 For Deciding the Winner, marks of Oral Rounds as well as the marks of Written Memorial will be calculated and team scoring higher total will be declared as winner.
  - 12.9 In case of a tie, decision will be based only on total oral scores in the Quarter Final Round. If the tie still persists decision of the Organizers shall be final.
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**13. COMPETITION PROCEDURE: SEMI-FINAL ROUND**

- 13.1 The Semi-Final Round is scheduled for 18<sup>th</sup> November 2018 and Problem-II will be used for this round.
  - 13.2 There shall be only one round and teams will speak from only one side which shall be chosen by draw of lots. Draw of lots will be held immediately after declaration of result of Quarter Final Round i.e. a day before the Semi-Final Round.
  - 13.3 Teams shall exchange memorials with opponent Teams immediately after the draw of lots.
  - 13.4 The four Semifinalists shall be ranked from I to IV on the basis of their aggregate scores in the Quarter Final Round. Then, Team-I shall compete against Team-III, while Team-II shall compete against Team-IV.
  - 13.5 Semi-Final Round will be for a period of 120 minutes all inclusive. Each team will be given maximum **40 minutes** only which should be divided between the two mooters at the discretion of team itself. However, one speaker shall not exceed a maximum of 25 minutes. 10 minutes are reserved for rebuttal excluding the allotted 40 minutes time available for the team. One speaker or both speakers dividing the 10 minutes time between them may present the rebuttal for the team. Sur rebuttal is not allowed. Remaining time may be used by Judges for questioning.
  - 13.6 Each of the Court Rooms shall be presided over by a minimum of two judges.
  - 13.7 The Score and Rankings of the team as per their performance at Semi-Final Round will be declared at the end of the Round.
  - 13.8 At the end of the Semi-Final Round top 2 teams will qualify for Final Round.
  - 13.9 For Deciding the Winner, marks of Oral Rounds as well as the marks of Written Memorial will be calculated and team scoring higher total will be declared as winner.
  - 13.10 In case of a tie, decision will be based only on total Oral Scores in the Semi-Final Round. If the tie still persists decision of the Organizers shall be final.
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#### **14. COMPETITION PROCEDURE: FINAL ROUND**

- 14.1** The Final Round is scheduled for 18<sup>th</sup> November 2018 and Problem-II will be used for this round.
- 14.2** The Final Round shall be held in the University Admin Hall.
- 14.3** There shall be only one round and teams will speak from only one side which shall be chosen by draw of lots. Draw of lots will be held immediately after declaration of result of Semi-Final Round.
- 14.4** Teams shall exchange memorials with opponent Teams immediately after the draw of lots.
- 14.5** Final Round will be for a period of 120 minutes all inclusive. Each team will be given maximum **45 minutes** only which should be divided between the two mooters at the discretion of team itself. However, one speaker shall not exceed a maximum of 30 minutes. 10 minutes are reserved for rebuttal excluding the allotted 40 minutes time available for the team. One speaker or both speakers dividing the 10 minutes time between them may present the rebuttal for the team. Sur rebuttal is not allowed. Remaining time may be used by Judges for questioning.
- 14.6** Each of the Court Rooms shall be presided over by a minimum of two judges.
- 14.7** Final Result will be declared at the Valedictory Function.
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#### **15. CODE OF CONDUCT:**

- 15.1** Researchers will not be allowed to speak when court is in session. Researcher shall be allowed to interact with the Court Officers only. All reference materials shall be submitted to the Judges through Court Officers only.
- 15.2** Researchers may be permitted to assist the teams by handing over hard copies to the court officials.
- 15.3** The Researcher may sit with the speakers during the arguments, but shall not be allowed to speak when the court is in session. However, non-verbal communication with the team members is allowed.
- 15.4** Participants are required to prepare from both sides of the case. They are required to argue only for the side which they get as per draw of lots.
- 15.5** At the time of oral submissions, the participants shall not reveal the name of their college or university even if enquired by the judges of the Competition. Any such attempt will result in disqualification of the team.
- 15.6** Laptops and Mobile Phones are not allowed when the court is in session.
- 15.7** Participants shall have to sit at the place provided by the organizers and wait for their turn.
- 15.8** Scouting is strictly prohibited.

**15.9** The Dress Code shall be as prescribed for Advocates. However, Collar Bands and Advocates' gowns are not permitted.

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**16. CRITIQUES:**

**16.1** The judges may be requested to provide a short oral critique at the end of each round

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**17. AWARDS:**

**17.1** Moot Court Winners Trophy and Certificates will be awarded to the Winning team.

**17.2** Moot Court Runners-up Trophy and Certificate will be awarded to the Runners-up team.

**17.3** The Best Mooter will be awarded with a trophy and a Certificate.

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**18. ACCOMMODATION:**

**18.1** Separate accommodation for Boys and Girls shall be provided to the participants by the organizers from 16<sup>th</sup> November 2018 to 19<sup>th</sup> November 2018 (Till 8 a.m) only.

**18.2** The requirement of accommodation shall be conveyed at the earliest as it will be provided on first come first serve basis due to limited seats.

**18.3** Those teams who want to stay after the event have to make necessary arrangements on their own.

**18.4** Transport between the guest house/hostel and the competition venue to the participating teams will be provided by the organizers.

**18.5** Meals will be provided as per the schedule.

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**19. DISCIPLINE:**

**19.1** Any discussion by the team members, in respect of competition or moot problem or any substantive matter related with the competition, with the other teams, their own friends or any other person, after commencement of the competition shall be held as breach of Code of Conduct of the Competition and both such teams shall be liable to be disqualified from the Competition

**19.2** Participants are expected to maintain discipline while in campus and the accommodation provided by the organizers.

**19.3** Incidents of eve-teasing or any kind of misbehavior will be taken cognizance of with the help of Police, and the teams will be disqualified from further participation.

19.4 The participants shall not stray around once they report to the College for participation.

19.5 Smoking is strictly prohibited in the college campus

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## **20. DISCLAIMER:**

20.1 Notwithstanding anything stated in the rules, the competition is the sole responsibility of organizers. Organizers shall neither be legally bound nor liable for any matter or dispute arising out of the competition.

20.2 Organizers reserve their rights to use the memorials submitted to them as and when required in appropriate manner.

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## **21. MISCELLANEOUS:**

21.1 All the rules are only inclusive and not exhaustive. Rules should be strictly adhered to. Any deviation there from would attract disqualification.

21.2 The organizing committee shall resolve any doubts or misunderstanding and the decision taken by the Organizers shall be final.

21.3 Regarding all moot court practice and procedure the final decision on the interpretation & implementation of rules lies with the Organizing Committee.

21.4 No travelling & dearness allowance shall be paid to the participants by the organizing University.

21.5 The Participants must bring all the reference material at their own. In certain emergencies the organizing committee will provide printing facilities charging a nominal charge.

21.6 Participants must behave in a dignified manner and shall not cause any inconvenience to the volunteers and organizers, failing which the team shall be disqualified from the Competition.

21.7 The participants must carry with them photo identity card of their college.

21.8 The decision of the judges shall be final in context of the results of the competition.

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## **22. DISTRIBUTION OF MARKS:**

22.1 Each team's performance will be assessed out of total 200 marks. The distribution of marks for memorials and oral round will be based on criteria given below-

**A. Memorials: 100 Marks (Each Memorial)**

S. No.	Criteria	Marks Allocated
1	Language & grammatical accuracy	10
2	Knowledge and Inferences from facts	10
3	Legal Analysis	30
4	Clarity of arguments	20
5	Presentation including compliance of the requisite format , arrangement and citation mode	10
6	Authorities cited	20
Total		<b>100</b>

**B. Oral submissions: 100 Marks (Each Speaker)**

S. No.	Criteria	Marks Allocated
1	Advocacy and presentation skills	20
2	Knowledge & Application of Law and facts including use of authorities	40
3	Court Manners	10
4	Answers to questions from the bench	20
5	Time Adherence	10
Total		<b>100</b>

**22.2** Marks shall be given by the judges separately for different rounds and final marks shall be awarded on the basis of aggregate marks given by the judges.

**23. Any clarification for the competition can be sought from:**

**1. mootcourt@iusikkim.edu.in**

**IMPORTANT DATES**

EVENT	DATE
<b>1. Last Date for Provisional Registration</b>	19/10/2018
<b>2. Receiving of Hard Copy of Provisional Registration Form, Authorization letter and Original Demand Draft.</b>	19/10/2018
<b>3. Submission of Written Memorial for Problem -I (Softcopy) (Hardcopy)</b>	21/10/2018 28/10/2018
<b>4. Submission of Written Memorial for Problem -II (Softcopy) (Hardcopy)</b>	29/10/2018 10/11/2018
<b>5. Inauguration, Registration and Reporting of the teams &amp; Draw of lots</b>	16/11/2018
<b>6. Preliminary Round/Quarter Final</b>	17/11/2018
<b>7. Semi-Final Round</b>	18/11/2018
<b>8. Grand Final and Valedictory</b>	18/11/2018