

GOVERNMENT LAW COLLEGE NATIONAL TRIAL ADVOCACY MOOT COURT COMPETITION, 2018

IN ASSOCIATION WITH
JURIS CORP & SKJ FOUNDATION

27TH & 28TH OCTOBER, 2018

OFFICIAL RULES

1. GENERAL

1.1 Team Composition

Each team shall comprise of three (3) members only, consisting of two (2) speakers and one (1) researcher.

1.2 Eligibility

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 Official Language

The official language of the Competition is **English**. All Competition Rounds including the written submissions (memorials) will be in English.

1.4 Accommodation

1.4.1 Accommodation shall be provided for the 26TH and 27TH nights of October, 2018 only. (Friday and Saturday nights)

1.4.2 Teams which intend to arrive earlier or stay longer, are requested to inform the organizers in advance so that requisite arrangements may be made for the same. Extra charges will have to be incurred by the team for additional days of stay.

1.4.3 Accommodation **shall not** be provided to a fourth team member.

1.4.4 **No accommodation** will be provided to teams from Colleges in Mumbai.

1.5 Dress Code

The dress code for the participants during the Rounds of the competition shall be Black and White formals for gentlemen and Western or Indian Formals for ladies.

2. REGISTRATION

2.1 The duly filled Registration Form must be scanned and sent via email to mca@glcmumbai.com on or before **5th September, 2018**. 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. In addition, teams must also send a scanned copy of the Demand Draft via e-mail to mca@glcmumbai.com by **9th September, 2018**

2.2 A Registration Fee of Rs. 2,500/- (Rupees two thousand five hundred only) is payable along with the attached Registration Form for the teams qualifying to the competition. The Registration Fee must be in the form of a Demand Draft in the name of "Moot Court Association Government Law College" payable at Mumbai.

The Registration Fee (Demand Draft) and the Registration Form must be sent to the Government Law College, Mumbai latest by **13th September, 2018** at the following postal address:

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

2.3 All teams shall be given a "team code" by the Organisers on validation of their Registration form and Demand Draft. Thereafter the teams shall use their designated "team code" for all correspondence with the Organisers.

2.4 The assigned "team code" must be used by the teams during the submission of Memorials and during all the Rounds of the Competition.

3. COMPETITION ROUNDS

The competition rounds shall be held over a period of two days and will comprise two (2) Preliminary Rounds, one (1) Semi-Final Round & one (1) Final Round of Arguments

3.1 Preliminary Rounds

3.1.1 There will be two (2) Preliminary Rounds.

3.1.2 A team shall be credited with a win in the Preliminary Rounds if their Round Total as defined in clause 7.3 is greater than that of the opposing team.

- 3.1.3 In the event of a tie in the Round Total of the teams, the decision of the judges will be deemed to be final.

3.2 Semi-Final Rounds

Four (4) teams shall advance from the Preliminary Round of Arguments to the Semi-Final Round of Arguments.

- 3.2.1 Teams that have a 2:0 win loss ratio in the Preliminary Rounds shall directly advance to the Semi-Final Rounds. Such teams shall be seeded according to the Aggregate of their Round Totals in the two Preliminary Rounds ["Aggregate Scores"].
- 3.2.2 Teams that have 1:1 win loss ratio shall advance to the Semi-Final Rounds based on their Aggregate 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 Aggregate Scores.
- 3.2.3 For the purpose of pairing the four (4) teams that advance to the Semi-Final Rounds, the team seeded first in the Seeding Chart will be paired opposite the team seeded fourth in the Seeding Chart (Seed 1 vs. Seed 4) and the team seeded second in the Seeding Chart will be paired opposite the team seeded third in the Seeding Chart (Seed 2 vs. Seed 3).
- 3.2.4 The Semi-Final Round shall consist of one (1) Mooting Round and will be a "Knock-Out" Round where the winner of each round will advance to the Final Round.
- 3.2.6 A team shall be credited with a win in the Semi-Final Round if their Round Total is greater than that of the Opposing Team.

3.3 Final Round of Arguments

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 7.3 shall be declared as the Best Team.

4. MEMORIALS

4.1 Format Specifications

All teams must submit typed Memorials fulfilling the following specifications:

- 4.1.1 Memorials shall contain the following:
- (i) Index.

(ii) Index of Authorities.

(iii) Statement of Jurisdiction.

(iv) Synopsis of Facts.

(v) Statement of Charges.

(vi) Summary of Arguments.

(vii) Body of Arguments.

(viii) Conclusion / Prayer.

4.1.2 The Memorial shall not be more than forty (45) pages, including the Body of Arguments, which shall not be more than twenty (25) pages.

4.1.3 All memorials must have a soft cover and must be spiral bound.

4.1.4 The cover page of the Memorial must follow the following colour scheme: **Blue:** Petitioner cover page and **Red:** Respondent cover page.

4.1.5 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.

4.1.6 The Memorial must not contain any Annexure/ Photographs / Sketches / Exhibits / Affidavit etc. Violation of the said provision will subject the team to disqualification. The image of the bus and the sketch of the map in the Moot Problem are the sole exceptions to this and cannot be modified in any manner whatsoever.

4.1.7 Memorials not following any of the above specifications will be penalised.

4.2 Deadline for Submission of Memorials

4.2.1 All teams must also send in an email of their soft copy of their memorials, which must be a '**pdf**' file extension, by 11:59 p.m. IST on **10th October, 2018** on **mca@glcmumbai.com**. The subject of the email must be:

Memorial for "Mention Team Code"

The content of the e-mail attachment **should not** differ from the content of the hard copies submitted to the Organizers.

- 4.2.2 All teams must send six (6) hard copies of the Memorials for each side of the Moot Propositions by 5:00 p.m. IST on **7th October, 2018** to the following address:

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

- 4.2.3 A covering letter **must** be enclosed with the Memorials specifying the name of the College/University of the participating team. The covering letter must have a seal of the College/University.

4.3 Anonymity

- 4.3.1 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 and contact details of the Team Members and their designated Team Code.

- 4.3.2 Teams disclosing their identity through the Memorials in any form will be subject to disqualification.

- 4.3.3 The name of the institution should not appear on any compendium or submission that needs to be submitted to the bench. In this case, the team **will not** be allowed to submit the compendium or will be subject to negative marking.

5. ADDITIONAL INFORMATION TO THE MOOT PROBLEM

The 313 Cr.P.C. statement is assumed to be complied with.

6. ORAL SUBMISSIONS

- 6.1 As specified hereinabove in clause 2.1, each team shall have 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 or the identity of his/her college/university by any means whatsoever.
- 6.3 Each team will have a maximum of 45 minutes to present their Oral Submissions. The rounds would be divided among the following stages/sequence:
- Opening statement by the prosecution – 5 minutes
 - Opening statement by the defence – 5 minutes
 - Examination in Chief by the prosecution – 12 minutes

- Cross Examination by the defence – 20 minutes
- Examination in Chief by the defence – 12 minutes
- Cross Examination by the prosecution – 20 minutes
- Closing statement by the prosecution – 8 minutes
- Closing statement by the defence – 8 minutes

- 6.3.1 At the commencement of each session of Oral Submissions each team must notify the Court Officer which speaker shall be presenting which statement/conducting which examination. Each speaker must present one statement and conduct one examination only.
- 6.3.2 If any speaker continues to speak after the completion of his/ her time, that team will be liable to be negatively marked.
- 6.4 In case of any dispute, the final decision as to the time structure 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 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. It is recommended that all submissions made directly to the bench are presented as a compendium for the convenience of the judges.
- 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. The image of the bus and the sketch of the map in the Moot Problem are the sole exceptions to this and cannot be modified in any manner whatsoever.
- 6.7 If at any instance a submission is made with any material in violation to Clause 6.6 and if any audio film, video film, projector-slide or a computer-generated image is submitted or presented to court, the teams shall be subject to disqualification.

7. MARKING CRITERIA FOR THE ORAL SUBMISSIONS

- 7.1 Each Speaker will be marked on a total of 100 marks by each Bench Judge.
- 7.2 The Round Total will be the aggregate of the total of the two (2) speakers.
- 7.3 The following will be the Marking Criteria and the Marks Allocated to compute the Round Total for each team.

S. No	Marking Criteria	Marks Allotted
1.	Knowledge and Application of Relevant Law	20
2.	Interpretation and Use of Facts	20
3.	Ingenuity and Ability to Answer Questions	15
4.	Style, Poise, Courtesy and Demeanour	15
5.	Ability to conduct successful examinations	15
6.	Ability to elicit favourable facts from witnesses	15
	Total	100

- 7.4 The decision of the judges as to the marks allotted to any team shall be final.
- 7.5 So as to ensure uniformity in the marking system all the judges will be provided with a marking guideline.
- 7.6 As has been specified in Clause 7.3, there is a separate marking category for 'Reference to 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.

8. AWARDS

- 8.1 The following awards shall be presented:
- i) Best Team
 - ii) 2nd Best Team
 - iii) Best Speaker
 - iv) Best Researcher
- 8.2 All participants will be presented with Certificates of Participation and all the winners of awards as specified in Clause 8.1 will be presented with Certificates of Merit and a cash prize.

9. RESEARCHERS' TEST

- 9.1 The Researchers' Test shall be conducted on the second day of the Competition
- 9.2 The test shall be for a duration of thirty (30) minutes only.
- 9.3 The test shall consist of multiple choice questions (MCQs) based on General Principles of Criminal Law and the case study.
- 9.4 Only the Researcher is eligible to take the test.

10. MISCELLANEOUS

- 10.1 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.
- 10.2 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.
- 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.
- 10.5 If there is any situation, which is not contemplated in the Rules, the Organisers decision on the same shall be final.
- 10.6 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.

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 mca@glcmumbai.com and the subject of the e-mail must read "*Request for Interpretation*"
- 11.3 The last date to seek clarifications to the Moot Propositions is **24th September, 2018.**

12. 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.

13. CONTACT DETAILS

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