

**2nd SURANA & SURANA AND Dr. M S RAMAIAH
NATIONAL TORT LAW MOOT COURT COMPETITION
&
JUDGMENT WRITING COMPETITION 2019**

08 – 10 March 2018

RULES

Joint Organizer



Surana & Surana
International Attorneys

Host & Joint Organizer



Ramaiah College of Law
Bengaluru

Venue

Ramaiah College of Law
MSRIT Campus, MSR Nagar, Bengaluru
Ph: 080-23606909 / Fax: 080-23608230
Email: info@msrcl.org



2nd SURANA & SURANA AND Dr. M.S.RAMAIAH
NATIONAL TORT LAW MOOT COURT COMPETITION
&
JUDGMENT WRITING COMPETITION 2018



RULES AND REGULATIONS

I. AIM & PURPOSE

- a. The Surana & Surana and Dr. M.S. Ramaiah National Tort Law Moot has been conceived with the aim of creating opportunities for learning the development of jurisprudence on emerging trends in Tort Law besides developing cutting edge skills in research, writing and advocacy.
- b. The judgment¹ writing competition will be a part of Surana & Surana and Dr. M.S. Ramaiah National Tort Law Moot Court Competition with the following principle and purpose.
 - i. A Judgment has a social and civic function besides the primary principle of promoting Rule of Law & upholding justice.
 - ii. To achieve the above, it must “*have clarity of thought, explain decision to the parties, communicate reasons for the decision to public and provide reason for an appeal court to consider*”.²
 - iii. To develop a well-balanced judicious mind
 - iv. Prevent abuse of legal process (Full rules mentioned in Clause XVI)

II. VENUE AND DATE

The 2nd Surana & Surana and Dr. M.S. Ramaiah National Tort Law Moot Court Competition shall be held from **08 -10 March 2019** at Ramaiah College of Law, MSRIT Campus, MSR Nagar Bengaluru, Karnataka. Prof. (Dr.) Manjushree Mishra, Principal, Ramaiah College of Law will be the National Administrator.

III. The competition shall be in the English language.

IV. ELIGIBILITY

The competition is open for students who are pursuing LLB three year / five year course during the current academic year.

¹ “The statement given by the Judge of the grounds of decree or order” Section 2 (9) of the Civil Procedure Code 1908. *The official and authentic decision of a court of justice upon the respective rights and claims of the parties to an action or suit therein litigated and submitted to its determination (Black’s law Dictionary)*

² *Speech delivered by the Honorable Justice Roslyn Atkinson, Supreme Court of Queensland, to the AIJA Conference, Brisbane, 13 September 2002.*

V. TEAM COMPOSITION

- a. Each team should consist of a minimum of 2 and maximum of 3 members. This number cannot be modified under any circumstances.
- b. There shall be 2 speakers and 1 researcher designated for each team. The researcher shall be allowed to argue with prior permission of the court and National Administrator in case of illness of the designated speakers.
- c. Each team will **be provided a team code** prior to the submission of memorials via e- mail. This team code is only for the memorials. Teams should not disclose the identity of their institution; such disclosure shall invite penalties including disqualification. The decision for the same shall be at the discretion of the National Administrator.

VI. REGISTRATION

- a. Online registrations are open from **01 December, 2018**. The teams must register online by **25 January 2019**. Teams will have to register online at www.moot.in
- b. Participants will receive an automated system generated acknowledgement on successful submission of registration. Participants will receive an approval as acceptance of their request for participation latest by **30 January, 2019** or earlier.
- c. A scanned copy of the letter from the participating college/ institution / university duly signed by any one of the following:- Faculty-in-charge of MCS/MCA, Registrar, Principal, Dean, Director, Chancellor or Vice-Chancellor confirming the names of the participants, Year / semester in which studying, representing the college/ institution / university for the moot competition will have to be attached during the online registration process (The approval letter shall be formatted on the letter head of the participating institution/college/university alternatively you may use the registration form itself as appended below as page 8 with the official seal)
- d. Registrations without the scanned copy of the approval letter from the college/institution/ university or duly attested registration form will not be valid
- e. Soft Copy of the Registration particulars, Approval letter and Demand Draft of Rs. 4500/- (Rs.3500/- without accommodation) drawn in favor of **THE PRINCIPAL, M.S. RAMAIAH COLLEGE OF LAW, BENGALURU** payable at Bengaluru shall be sent via e-mail to mootcourt@msrcl.org with the subject line 2nd NATIONAL TORT LAW MOOT REGISTRATION latest by **27 January, 2019**. The participants are also required to send the hard copy of **the approval / registration letter and the demand draft** to the Administrator, Ramaiah College of Law, Bengaluru so as to reach on or before **30 January, 2019**

VII. ROUNDS

There will be two preliminary rounds, an octa final, a quarterfinal, a semi-final and a final round.

- Octa final will be conducted if the participation exceeds 30 teams.
- Quarter final will be conducted if the participation exceeds 16 teams.

Preliminary Round

- a. There will be two preliminary rounds of arguments per team, once for applicant & another for respondent.
- b. No team will face each other more than once in the preliminary rounds.
- c. Each team will face a different bench in their second round of arguments.
- d. Preliminary / Octa final / Quarter finals will be held on **09th march 2019 (Saturday)**, and the top sixteen / eight teams, will qualify for the Octa finals / Quarterfinals as mentioned above.
- e. Top sixteen / eight teams from the Preliminary Rounds will advance to the Octa / Quarter final rounds that will be decided on
 - a. Win points
 - b. Win points + Aggregate raw points
 - c. Win points + Aggregate raw points (in case of tie minus memorial marks)

NB: Aggregate raw points = oral scores + memorial score.

Memorial marks will be added to the scores of both the preliminary rounds only.

- f. There will be an Orientation Program for all the participants on **08th March, 2019 (Friday)** followed by a draw of lots & exchange of memorials at 4.30 p.m.
- g. The dress code shall be advocate's attire during the rounds of the competition.
- h. The oral arguments need not be confined to the issues presented in the memorials

Octafinal / Quarterfinal / Semi Final Round / Final Round:

Draw of lots Lot/ Power match will decide the side of the arguments in Octafinals, Quarterfinals, and Semifinals & Finals. Preliminary rounds and Octafinals will be held on 09th March 2019 (Saturday). Quarterfinals will take place on 10th march 2019 (Sunday) at 9.00a.m (**may be advanced to Saturday 09th March 2019 if time permits**) followed by the Semifinals at 10.30 a.m. on 10th march 2019, followed by the Finals to be held at 3.00 p.m. The Octafinals / Quarterfinal / Semifinal are knockout rounds.

Results (Announcement)

Results will be announced within 30 minutes after the completion of the preliminary/ Octa / quarter / semifinal rounds. The Final result and the winners of the various categories will be announced only during the valediction / prize distribution ceremony.

VIII. Memorials

The following requirements for memorials must be strictly followed. Non-conformities will be penalised:

- a. Each team must prepare memorials for both parties to the dispute (Petitioners and Respondent).

- b. The soft copy of the Memorials for the Petitioner/appellant and the respondent should be mailed to mootcourt@msrcl.org on or before **18th February 2019**. Three hard copies of the memorials (both Petitioner/Appellant & Respondent) must reach the host institution (RCL) by **20th February, 2019** latest by 4.00 p.m. Soft copy of the memorials in word format must be mailed to mootcourt@lawindia.com. Late submission will be penalized by one point each per memorial for every day of delay after due date. No excuses in respect of delayed courier services will be entertained.
- c. Once the soft copy of the memorials has been submitted, **no revisions, supplements, or additions will be allowed.**
- d. The memorials have to be submitted on A 4 size paper **printed on both the sides** and must contain:
- The table of contents
 - The index of authorities
 - The statement of jurisdiction
 - The statement of facts (1 page only and argumentative statement of facts would attract penalties)
 - The statement of issues
 - The summary of arguments (not more than 1 page)
 - The arguments advanced (not more than 15 pages)
 - The prayer
- e. The font size should be 12 (doubles space) and for footnotes it should be 10 (single space) & double space between two foot notes.
- f. The memorials should be **soft bound**. Any other form of binding shall not be accepted.
- g. The memorials should not be covered with a plastic cover or be spiral bound or combed bound. Use of butter paper, plastic sheets, spiral binding, cello tape etc. is strictly prohibited.**
- h. The memorial must have a margin measuring one inch on all sides of each page
- i. The page numbering should be on the top right side of each page.
- j. Covers must be placed on briefs as follows:
- Petitioner: Light Blue Color; Defdant: Light Red Color.**
- Use of Cellophane sheets over the covers or inside will be penalized.**
- k. The cover page of the memorial must state the following :
- a. Team code (on the top right corner)
 - b. The cause title
 - c. Identify brief as Petitioners / Applicant & / Respondents as is applicable

- l. Identity of the institution shall not be revealed anywhere in the memorial. Violation of this provision shall result in penalties including disqualification. The National Administrator's decision shall be final.
- m. The teams may submit a separate paper book of not more than 50 pages (printed on both sides), which will carry all the annexure and case laws that have been referred to in the memorial. The paper book will have a white cover. The teams will retain them and may be submit to the judges during the rounds through the court assistants for reference. Any identifying marks/seal of the college shall attract severe penalties including disqualification. There will not be any passing of notes to the judges. The paper book will have to take care of this requirement. The team will take them back after the respective rounds.

IX. ORAL ROUND

Preliminary Round, Octa finals & Quarter finals

- a. Each team will get a total of 30 minutes to present their case. This time will include rebuttal and sur-rebuttal time.
- b. The division of time is at the discretion of the team members, subject to a minimum of 07 minutes per speaker. Division of time shall be informed to the court officer before arguments begin.
- c. The oral arguments need not be confined to the issues presented in the memorials.
- d. Passing of notes to the speakers by the researcher during the rounds is allowed.
- e. The researcher shall sit with the speakers at the time of the orals.

Semifinal & Final

- a. Each team will get 45 minutes to present their case that will include rebuttal and sur-rebuttal time
- b. The division of time is at the discretion of the team, with a minimum of 15 minutes per speaker.
- c. The oral arguments need not be confined to the issues presented in the memorials.
- d. The researcher shall sit with the speakers at the time of the orals.

X. Scouting

Teams will not be allowed to observe the orals of any other teams. Scouting is strictly prohibited. Scouting by any of the team members shall result in disqualification.

XI. Scoring

A. Orals

The parameters for judging the oral presentation on a scale of 0 – 100 points are:

- a. Knowledge of facts
- b. Logic and reasoning
- c. Organisation and clarity
- d. Persuasiveness

- e. Deference to the court
- f. Proper and articulate analysis of the issues arising out of facts
- g. Understanding of the legal principles directly applicable to the issues
- h. Ability to explain clearly the legal principles in general keeping to the time allotted
- i. Knowledge and use of legal sources and authorities and general principles of national law
- j. Ingenuity (ability to argue by analogy from related aspects of law)

B. Written Submissions (Memorials)

- a. The memorials shall be marked on a scale of 1-100 points each.
- b. Any revisions, supplements or additions to the memorials after submission shall attract severe penalties subject to the discretion of the National Administrator.
- c. Award of the points shall be based on the following parameters:
 - a. Neatness, legibility, no typographical errors or format errors
 - b. Logical progression of ideas
 - c. Effective use of headings to outline arguments
 - d. Understanding essential legal issues presented
 - e. Focus on essential (not collateral) issues
 - f. Clear, concise and unambiguous writing style
 - g. Forceful and persuasive presentation
 - h. Integration of facts into legal argument
 - i. Understanding of strengths and weaknesses of case
 - j. Discussion of viable alternative arguments
 - k. Understanding and analysis of authority
 - l. Proper use of citations and citation form
 - m. Effective use of authority to support arguments
 - n. Ability to distinguish adverse cases
- d. Non-compliance of the rules mentioned in Clause VIII above shall attract severe penalties.

XII. AWARDS

- | | |
|----------------------------|-----------|
| i. Winning team: | Rs. 25000 |
| ii. Runner up team: | Rs. 15000 |
| iii. Best Memorial: | Rs. 10000 |
| iv. Best Student Advocate: | Rs. 7000 |
| v. Best Researcher : | Rs. 7000 |

In addition to the above awards, plaques and certificates will be given to other categories of winners. All participants will be awarded participation certificates.

XIII. ANONYMITY

- a. Student counsel may introduce her/himself to the court in the usual manner and may also state her/his names. However, the team's college / institution affiliation may not be mentioned at any time before the awards ceremony.
- b. Further, all team members, coaches, advisors, and observers shall refrain from identifying a team's school at any time and in any manner, including, but not limited to, wearing any identifying items, such as school clothing, ties, patches, or pins or carrying identifying material (such as a books with a college logo, or college seal).

XIV. VIDEO RECORDING

- a. The organisers will arrange for the video recording of only the finals of the competition. Teams that wish to obtain a copy of the recording may do so on payment of Rs. 750/- per copy
- b. The recording shall be sent to the college on payment of Rs. 750/- per copy in the form of a Demand Draft (DD only) drawn on a nationalized bank payable at Bengaluru in favor of The Principal, M.S. Ramaiah College of Law, Bengaluru.

XV. DECISION OF THE JUDGES WILL BE FINAL

XVI. RESEARCHER'S TEST

- a. The Researcher's Test shall be conducted on **Friday, 08 March 2019**, simultaneously during the Orientation and draw of lots.
- b. In a team consisting of three members, the member designated as Researcher shall take part in the test. In a team consisting of two members, one of the two Speakers shall take part in the test.
- c. The Researcher's Test shall be in the format of Multiple Choice Questions with the questions based on the applicable law, precedents and facts pertaining to the Moot Proposition.

No additional material such as the bare text of Acts, Memorandum, etc. apart from stationery may be brought by the participant to the test and no such material shall be provided by the Organizing Committee.

XVII. RULES OF THE NATIONAL JUDGMENT WRITING COMPETITION ON TORT LAW

- 1. Title:** The competition will be called "2nd Surana & Surana and Dr. M.S. Ramaiah National Judgment Writing Competition on Tort Law 2019". This judgment writing competition will be a part of 2nd Surana & Surana and Dr. M.S. Ramaiah College of Law National Tort Law Moot Competition.
- 2. Rules:** Besides the rules given below all relevant rules of the National Corporate Law Moot rules are applicable.
- 3. Eligibility:** The teams participating in the 2nd Surana & Surana and Dr. M.S. Ramaiah National Tort Law Moot Competition.
- 4. Structure:** The structure of the judgment will reflect the forum / court in which the moot case is set and argued

5. Submission:

- a. The participant team must compulsorily submit to the administrator a judgment arising out of the National Tort Law case in M S Word format not exceeding **3000 words** including footnotes, citations etc.
- b. The soft copy of the judgment must be submitted by way of email to mootcourt@msrcl.org on or before **25th March 2019 (Monday) 10.00 a.m.** A soft copy of the same must be forwarded to mootcourt@lawindia.com.

6. Evaluation criteria (based on application of principle & objective) :

- i. Format (All the steps of a judgment)
- ii. Language and style (lucid expressions, brevity not at cost of clarity)
- iii. Facts in brief
- iv. Issues
- v. Application of law
- vi. *Ratio Decidendi*
- vii. Justification of decision
- viii. Operative order
- ix. *Obiter dicta*
- x. Creative interpretation of citations, facts, law and innovative approach

7. Prize and Certificates (Judgment Writing):

Winner : Rs. 10000/-

Runner up : Rs. 7000/-

3rd and 4th best judgment will be awarded certificates.

All the participants who have submitted the judgments would get participation certificates. The winners (winner / runner up) would be awarded respective individual certificates.

Surana & Surana International Attorney will have no further obligation regarding this competition.

8. Jury

The results announced by the eminent juries will be final and no further representation will be entertained in this regard

9. Results :

- a. Will be communicated by mail / email / posting on the websites of Ramaiah College of Law / www.moot.in
- b. Winning entries will be uploaded at www.moot.in / and at the website of Ramaiah College of Law, Bengaluru.
- c. Prize, cheques and certificates will be sent by post to the respective winners.

XVIII. COPYRIGHT

- a. The copyright over the memorials submitted for participation in the competition is assigned by participants and shall also vest completely and fully in, Ramaiah College of Law, Bengaluru and Surana & Surana International Attorneys Chennai. The participants shall certify in writing the originality of materials contained therein and shall be responsible for any claim or dispute arising out of the further use and exhibition of these materials.
- b. Further use and exhibition of these materials, electronically or otherwise, shall be the exclusive right of Surana & Surana International Attorneys, Chennai and Ramaiah College of Law, Bengaluru, and they shall not be responsible for any liability to any person for any loss caused by errors or omissions in this collection of information, or for the accuracy, completeness, or adequacy of the information contained in these materials.
- c. Distribution of these materials on affiliated websites such as www.moot.in does not constitute consent to any use of this material for commercial redistribution either via the Internet or using some other form of hypertext distribution. Links to the collection or individual pages in it are welcome.

XIX. ACCOMMODATION, FOOD & TRANSPORT

(a) Accommodation (b) food and (c) transport between the hostel / hotel and the competition venue to the participating teams will be provided by Ramaiah College of Law, Bengaluru. The name and mobile number of the student volunteers in charge of transport / accommodation will also be made available on finalization. Teams should fill in their travel plan in the sheet available on page 9 positively by **15 February, 2019**

XX. Prof. (Dr.) Manjushree Mishra, Principal, Ramaiah College of law, Bengaluru will be the National Administrator.

XXI. ANY CLARIFICATIONS FOR THE COMPETITION CAN BE SOUGHT FROM:

Regarding Case / Submission of Memorials / Accommodation / Transport / etc.

Ms. Sangeetha Murali. S
Faculty coordinator
Ph: 9035625589
Email: sangeetha@msrcl.org

Ms. Rhea Roy Mammen
Faculty coordinator
Ph: 9496327327
Email: rhearoymammen@msrcl.org

Regarding online registration:

Dr. S. Ravichandran
Advocate & Head, Academic Initiatives
Surana & Surana International Attorneys
Moot Court Coordinator
Email: mootcourt@lawindia.com
Ph: 044 – 2812 0000, Fax: 91 – 44 – 2812 0001

Student coordinators

1. Lekha G D - +91 9845630413

2. Prajwal R Hallur - +91 7795943597

IMPORTANT DATES

Commencement of Online Registration	01 December 2018
Last date for Online Registration	25 January 2019
Last date for receiving soft copies of Reg. Form / Approval letter and DD	27 January 2019
Last date for receiving the hard copies of Reg. Form and Demand Draft	30 January 2019
Last date for seeking clarifications of Problem	01 February 2019
Submission of Travel form (Soft Copy)	15 February 2019
Last Date for Submission of Memorials (Soft Copy)	18 February 2019
Last date for submitting one hard copy of Applicant & Respondent memorials	20 February 2019
Submission of Memorials (Three Hard Copies)	08 March 2019
Inauguration, orientation and Researchers Test	08 March 2019
Oral Rounds – Prelims, Octa finals, Quarter finals	09 March 2019
Oral Rounds – Semifinals, Finals, Valediction & Prize distribution	10 March 2019
Submission of Judgment (soft copies by email)	25 March 2019 (10 am)



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Date:

Registration form/ Approval letter
(Please fill in capital letters)

Undertaking

1. We hereby state that our participation complies with the rules and regulations of the competition.
2. We certify that the materials submitted/to be submitted are prepared by us and agree to indemnify the organizers, i.e. the Surana & Surana International Attorneys, Chennai and the Ramaiah College of Law, Bengaluru for any claim or dispute arising out of the further use and exhibition of these materials.

(All particulars must be given)

Name & Address of the participating Institution:

Notification Email:

Regd Mobile #:

Name of the participant	Gender	Course	Year / Semester	Signature

Seal & signature of the
Head of the Institution

DD No & Date :

Duly filled hard copy of the Registration form along with the Demand Draft of Rs. 4500/- (Rs.3500/- without accommodation) drawn in favor of **THE PRINCIPAL, M.S.RAMAIAH COLLEGE OF LAW** payable at Bengaluru should reach Administrator (RCL) by **15th January, 2019**

- a. E-mail: mootcourt@msrcl.org & mootcourt@lawindia.com – The subject of the email must be “NATIONAL TORT LAW MOOT REGISTRATION”
- b. Postal Address: Principal, Ramaiah College of Law, RIT Campus, MSRIT Post, MSR Nagar, Bengaluru-560054 Karnataka. Ph: 080-23606909 / Fax: 080-23608230



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TRAVEL PLAN

1. Name of Institution -

2. Arrival Details -

a. Mode of Arrival: Train / Air / Bus _____

b. Train No./Bus No./Flight No. _____

c. Estimated Time of Arrival _____

3. Departure Details -

a. Mode of Arrival: Train / Air / Bus _____

b. Train No./Bus No./Flight No. _____

c. Estimated Time of Departure _____

4. Any other details:

(Signature & Seal of the Head of the Institution)

Note: This Travel Form must reach Ramaiah College of Law via e-mail on or before 15th February, 2019 latest by 5.30 pm via email to mootcourt@msrcl.org