



EDUCATION | WISDOM | JUSTICE



**2018 - 19**

**January 18 - 20, 2019**

**Rulebook for the Moot Court Competition with Moot Problem**

Host

GLS Law College, GLS Campus, Opp. Law Garden, Ellisbridge, Ahmedabad - 380006. Gujarat.



## MOOT COURT COMMITTEE

<b>Patron</b>	<b>Mr. Devang Nanavati</b> Hon. Secretary, Gujarat Law Society
<b>Convenor</b>	<b>Dr. Mayuri Pandya</b> Director I/C, GLS Law College
<b>Faculty Coordinator</b>	<b>Ms. Vidhi Shah (9879797182)</b> Assistant Professor, GLS Law College
<b>Faculty Co-Coordinator</b>	<b>Ms. Suja Nayar (9712720888)</b> Assistant Professor, GLS Law College
	<b>Ms. Jiya Matharani (7984719633)</b> Assistant Professor, GLS Law College
<b>Student Coordinator</b>	<b>Aaditya Dave (9429600477)</b>
<b>Student Co-Coordinator</b>	<b>Monarch Pandya (9408417171)</b>

---





### ***Shri I. M. Nanavati***

This stalwart of law was born in the city of Jambusur near Bharuch in 1920 and bore the name Shri I. M. Nanavati. He came to Ahmedabad for law studies and at a very young age joined the bar on the foot step of his father. In the initial years of his practice he joined Maneklal Harilal Mills to look into Labour and Company Matters. With his foresight and hard work he became famous and in a short time span he became one of the renowned advocates of India. He always took a keen interest in overall development of the people and in development of Educational Institutions. He was deeply interested in the promotion of education and did tremendous work in that field. His busy practice however was no bar to his love for social and educational activities, in which he took leading and prominent part. The inspiring zeal and managerial ability of Late Shri I. M. Nanavati had gone a very long way in establishing Gujarat Law Society. He contributed greatly to the stability and for the steady growth of the society during the period of his association with the Gujarat Law society. He was a teacher at the Law Faculty and is even today remembered for his outstanding quality and contribution as a teacher of Law, a very able administrator, and a noble human being who made his mark not only in the courts in Gujarat but also in the Supreme Court of India. He was an aware educationalist, a leading lawyer and the then Hon'ble Secretary of Gujarat Law Society. He left for the heaven on January 15, 1981 in the city of Nairobi at South Africa.

In the Will of Shri I. M. Nanavati he express his wish that “In the end, I desire that when I pass away, my mortal remains be drawn through the Ellisbridge Campus of the Gujarat Law Society of which I was a student and which I have served for more than 20 years as Hon. Secretary and the institutions whereof which I developed, I have loved like my children”

To commemorate late Shri I. M. Nanavati who made his mark as an advocate and as an educationalist, **Shri I. M. Nanavati Memorial National Moot Court Competition** is organized.

After his death Shri Nani Palkhiwala had said “India has lost an exceptionally able lawyer and the cause of public education has lost one of its great benefactors and ended with the beautiful lines:

*“Lives of great men all remind us, We can make our lives sublime,  
And departing leave behind us, Foot prints on the sands of time...!”*

## **ABOUT GUJARAT LAW SOCIETY**

Gujarat Law Society has been in the field of education for more than eight decades and is considered to be one of the largest and most renowned destinations for education in Gujarat. The Society stands as a synonym for contemporary education in the region with its state-of-the-art infrastructure. Visionaries and luminaries such as Sardar Vallabhbhai Patel, Shri Ganesh Mavlankar and Sheth Shri Kasturbhai Lalbhai were the first to set lofty standards of excellence in education at the society.

Beginning from a single law college in 1927, which was nurtured, among others, by Shri I. M. Nanavati, today Gujarat Law Society has burgeoned into a mammoth Trust that manages 33 institutions offering courses in multiple disciplines imparting quality education across two campuses in Ahmedabad. being from single law college it had burgeoned in to a private University in 2015. There are over 24,000 students at the campus who are assisted in meticulously crafting their careers and leading them to the path of success. Gujarat Law Society has a particularly extensive alumni group which echoes the values that it imparts, right since its inception. Being a part of some of the most distinguished Judges, Lawyers and corporate across the globe, these members of the Society's alumni have carved out a niche identity for themselves, that of being responsible, pragmatic and proactive.

### **About GLS Law College:**

GLS Law College is a new venture of the Gujarat Law Society fostering excellence in Legal Education by catering to the Five Year Integrated Law Programme approved by Bar Council of India. Launched in the academic year 2015-16, in a short span of time, the Institute has emerged as a premier institute for imparting legal education in India. In first four years of its inception it has made its mark all over India.

The consistent steadfast resolution of GLS to always aim high and moo of 'Excellence in Education' has become stronger over the years. With this in view, Gujarat Law Society (GLS) launched GLS Law College with the aim of "Fostering Excellence in Legal Education"; offering B.A.LL.B programme.

## **ACHIEVEMENTS**

### **Runners' up at Jagran Lakecity University National Moot Court Competition, 2018**

Students of GLS Law College Aaditya Dave, Monarch Pandya & Megha Garg Participated in the National Moot Court Competition organized by Jagran Lakecity University and bagged the runners up prize in the competition with a cash prize of 1 lakh rupees. The final round of the competition was presided over by a constitutional bench of 5 judges. A total of 40 teams participated in the competition.

### **Semi Finalists in the Late Shree Hashu Advani Memorial Moot Competition, 2018**

Students of GLS Law College Shyam Naik, Varun Bharda and Krina Majithiya, were Semi-Finalist of the Late Shree Hashu Advani Memorial Moot Competition, Mumbai. The team was competing against 28 other teams from India.

### **National Moot Court Competition at Faculty of Law, M.S. University, Baroda, 2017**

Faculty of Law, M.S. University, Baroda had organized 6th National Moot Court Competition wherein the team of GLS Law College was represented by Khushali Oza, Aaditya Dave, and Monarch Pandya, students of Sem IV (Batch 2015). With their dedication and hard work the team qualified for the semi-finals and secured the trophy for 2nd Runners Up, competing against 28 other teams from India.

**GLS Law College in International Moot Court Competition at Institute of Law, Nirma University**

Institute of Law, Nirma University had organised 6th ILNU Moot Court Competition on February 13, 2016. The event had hosted 22 teams of which 8 teams qualified in the quarter final round. GLS Law College team was one of the qualifying teams in quarter final round. GLS team comprised of Aaditya Dave, Kishan Brahmhatt and Khushali Oza.

**National Moot Court Competition, May 2016**

Students of GLS Law College participated in National Moot Court Competition at NLSIU, Bangalore conducted in May 2016. The team included: Shyam Naik, Trishla Sheth, Shanaya Udeshi, and Chandni Modi.

## SCHEDULE

Key Dates	Key Events
15 <sup>th</sup> November, 2018	Release of Moot Problem for Shri I.M.Nanavati Memorial National Moot Court Competition 2018-19
5 <sup>th</sup> December, 2018	Last date for the Provisional Registration of the Institution Email - <a href="mailto:glsmootcourt@gmail.com">glsmootcourt@gmail.com</a>
25 <sup>th</sup> December, 2018	Last date of Registration
31 <sup>st</sup> December, 2018	Last date of sending Clarifications
9 <sup>th</sup> January, 2019 11.59 p.m.	Last Date for Submission of Memorials (soft copy) Email - <a href="mailto:glsmootcourt@gmail.com">glsmootcourt@gmail.com</a>
11 <sup>th</sup> January, 2019	Last Date for submission of Memorials (hard copy)
18 <sup>th</sup> January, 2019	Registration and Researchers' Test

# RULES AND REGULATIONS FOR THE COMPETITION

## I. Introduction

1.1 Short Title: These Rules shall be called the Shri I. M. Nanavati Memorial National Moot Court 2018-19 Competition Rules.

1.2 Definitions: Unless otherwise stated following shall be construed herein under as –

1.2.1 “**Administrator**” shall mean the GLS, Law College Moot Court Committee

1.2.2 “**Clarifications**” shall mean any questions, inquires or doubts sent by a registered team (after final registration) to the organizers seeking any factual clarification(s) in the Moot Court Problem. The clarifications, if any, provided by the college shall be considered as if it were a part of the Moot Proposition and shall have no individual significance.

1.2.3 “**Competition**” means Shri I. M. Nanavati Memorial National Moot Court Competition, 2018-19.

1.2.4 “**Institution**” means any recognized law school/college or university.

1.2.5 “**Participating Team**” means the team which has registered itself for the competition as per the rules for registration

1.2.6 “**Participating Institution**” shall be presumed to be the parent institution of the participating teams

1.2.7 “**Organizer**” means the GLS Law College, Ahmedabad

1.2.8 “**Rebuttals**” refer to the set of arguments/questions that the Complainant may raise at the end of the main pleadings of all the Orators. This shall be replied to in the appropriate manner by the Respondent.

1.2.9 “**Written Submission**” means the memorandum of written submissions submitted by any Team.



1.2.10 “**Organizing Committee**” means the Moot Court Committee (MCC) herein after referred to as OC or MCC.

1.2.11 “**MEC**” means Memorial Evaluation Committee.

## **II. GENERAL RULES**

2.1 **Dress Code:** The participants shall adhere to following dress code when present in any court room during the Competition.

**Female(s):** White salwar and kurta or white shirt and black trousers along with black coat and black shoes;

**Male(s):** White shirt, black trousers and black tie along with black coat and black shoes.

**Explanation :** The participating teams shall also adhere to the abovementioned dress code while attending the inaugural and valedictory ceremonies of the Competition.

2.2 **Language:** The language of the Competition shall be English.

### III. ELIGIBILITY AND TEAM COMPOSITION

- 3.1 **Eligibility:** The Competition shall be open to students who are – Pursuing an integrated 5 year LL.B. programme in India; Pursuing a 3 year LL.B. programme in India. Only **32 teams on first come first serve basis** shall be allowed to register.
- 3.2 **Team Composition:** Each team shall constitute of 3 members, two ‘Oralist’ ‘Mooter’(s) and one ‘Researcher’.

Only the team member(s) designated as Oralist / Mooter shall be allowed to put forth oral submissions.

Under no condition shall a team consisting more than 3 members be allowed to participate. Under no condition shall a team consisting more than 3 members be allowed to participate. Any additional member or Team Coach accompanying a Team will not be entitled to a certificate from the OC. Such persons shall not be provided accommodation facility. The team may enquire for availability of the same with the OC.

No certificate shall be provided to any fourth member.

#### IV. ANONYMITY OF TEAMS

- 4.1 Teams shall not reveal their identity in any form, except by means of the Team Code allotted to them during the Competition.
- 4.2 **The Written Submissions shall not reveal the identity of the team in any form and should not bear the logo, name etc. of the University represented.**
- 4.3 **Any material presented to the Panel should be devoid of any identification marks/seal of the Team. If any such mark/seal exists, it must be rendered unrecognizable.**
- 4.4 Any violation of the above rules shall attract severe penalty or disqualification as determined by the O.C. The decision of the O.C. in this regard shall be final, binding to the participating teams and not subject to challenge.

#### V. REGISTRATION

- 5.1 The participating institutions have to provisionally register by sending an email to moot court organizing committee at [glsmootcourt@gmail.com](mailto:glsmootcourt@gmail.com) on or before **5<sup>th</sup> December 2018 by 11:59 PM (IST)**

The acknowledgement of registration shall be given vide mail to the registering institutions. However, in case such acknowledgement is not received, it shall be the responsibility of the institution to enquire regarding the same and check the availability of slots.

- 5.2 In order to confirm participation, teams of every Institution should register themselves with the Registration forms duly signed by the heads of the institution along with the registration fees. **Those teams requiring**

**accommodation will have to pay registration fees of Rs. 5000/- and the teams which do not require accommodation has to pay Rs. 3500/- per team.**

Any form received after the last day of registration will not be allowed.

5.3 The Participation fees as mentioned in Clause 5.2 shall be paid vide Demand Draft.

The demand draft shall be drawn in favor of :

**GLS LAW COLLEGE**

*(Address: GLS Law College,  
GLS Campus, Opp. Law Garden,  
Ellisbridge, Ahmedabad - 380006, Gujarat).*

The teams shall be solely responsible for any delay caused due to delay in receipt of Registration Form.

5.4 **Change in Team Composition:** Any change in team composition will not be entertained after the registration.

In case of any unforeseen contingency where it becomes imperative to change the team competition, the participating team shall send a written application regarding the same to the Administrator and MCC, containing the compelling reason for the change. However, the change in the composition shall be done at the discretion of the MCC.

## **VI. Researchers' Test**

- 6.1 The Researchers' Test shall be conducted on Day 1 i.e January 18, 2018 of the Competition.
- 6.2 The test shall be for a duration of sixty (60) minutes only.
- 6.3 The test shall consist of objective questions based on General Principles of International Law and the Statement of Facts. The Researchers' Test shall test the knowledge of the laws involved as well as the factual details of the Moot Problem and the application of the relevant laws to the circumstances in the Moot Problem.
- 6.4 No notes, bare acts, books or any other material or electronic aid shall be permitted during the Researchers' Test.
- 6.5 If a team comprises of three (3) members, then ONLY the Researcher is eligible to take the test.

## **VII. FORMAT OF THE COMPETITION AND ORAL ARGUMENTS**

The Competition is divided into 4 rounds:

- 1) Preliminary Round
  - 2) Quarter Final
  - 3) Semi Final
  - 4) Final Round
- The time split between the speakers must be communicated to the Court Bailiff/clerk prior to the commencement of each Round. Once so informed, these timings shall not be changed.
  - Use of any electronic gadgets is not permitted during the course of oral proceedings.

- Teams shall not disclose, in any manner whatsoever, for the entire duration of the Rounds, either their own individual identities or the identity of the institution that they represent, even if asked by the judges.
- Teams can pass on compendium of the sources they cite in their Memorials if so permitted by the judges.
- Team scores shall not be disclosed after every round. Teams must not make any attempt to gather any such information, until notified by the Organising Committee.
- In case of absence of any team or failure of any team to reach in any of the oral submissions round will render disqualification of the team for that round. In such a case, their opponent shall make their oral submissions ex parte.
- The oral arguments should be confined to the issues presented in the memorial. Huge discrepancy shall not be permitted.
- The researcher may sit with the speakers during the oral submissions. However, No Researcher of any Team shall be permitted to address the Panel.
- Evaluation shall be done on the basis of the following criteria:

<b>Particulars</b>	<b>Marks</b>
Articulation of Issues	20
Presentation Abilities	20
Court Mannerism	10
Citation of Authorities	10
Application of Legal Principles	20
Response to the queries of Court	20

- Any Team which violates any of the Rules with respect to the Oral Pleading Sessions may be penalized. The decision of the Bench shall be final in this regard.

### **7.1 Preliminary Rounds:**

- **Draw of Lots** : The match up of teams in Preliminary Rounds shall be determined on the basis of draw of lots.
- Each team will get 20 minutes to present their case and 5 minutes will be given for Rebuttal, subject to the discretion of Judges.
- Each team shall argue from both the sides in the Preliminary Rounds.
- No team shall argue the same side twice in the Preliminary Rounds. No two teams will argue against each other more than once in the Preliminary Rounds.
- Win or loss of a team shall be determined on the basis of aggregate score of pleadings.
- Only one (1) speaker from each team shall be permitted to rebut/sur-rebut.
- In the preliminary rounds, the team with the higher aggregate speaker scores (including the rebuttal scores) shall win that round.
- If there is a tie in the aggregate speaker scores in case of a division bench, then the team with the higher memorial scores shall win that round.
- The top 8 teams based on their Win/Loss ratio and Total Preliminary Score in the Preliminary Rounds, shall qualify for the Quarter Final Rounds. Win/Loss Ratio shall be the ratio of number of Wins versus the number of Losses in the Preliminary Rounds. Total Preliminary Score is the total score obtained by both the speakers (including the rebuttal score) in both the Preliminary Rounds. Total Preliminary score does not include the memorial scores. Following shall be the system for determining the teams that advance to the Quarter Final Rounds:

- If there are more than 8 teams that have a Win/Loss ratio of 2:0, then out of such teams, the top 8 teams based on their Total Preliminary Score, shall qualify for the Quarter Finals
- If there are less than 8 teams that have a Win/Loss Ratio of 2:0, then firstly, all such teams that have a win/loss Ratio of 2:0 shall advance for the Quarter Finals Rounds. Secondly, out of the teams that have a Win/Loss Ratio of 1:0, the remaining spots in the Quarter Final Rounds shall be filled, based on the Total Preliminary Score of such teams.
- If there continues to be a tie, then the team with the higher Memorial scores shall qualify to the Quarter Final Rounds

## 7.2 Quarter-Finals :

- Eight teams based on the result of the Preliminary Rounds will qualify for the quarter-finals. The team shall argue only once in the quarter-finals. The side on behalf of which the team shall argue for the quarter-finals shall be decided by way of draw of lots prior to the Quarter Final Round.
- The quarter-finals shall be a knock-out round.
- Each team is allotted a total of 20 minutes to present their oral arguments.
- The timing can be divided between both the speakers according to the wish of the team subject to a maximum of 12 minutes and minimum of 08 minutes per speaker.
- The time division has to be informed to the Court Manager/Clerk before the beginning of the oral arguments.
- A maximum of 5 minutes may be reserved per team for rebuttal and sur-rebuttal which shall be at the discretion of the judges which shall be exclusive of the above time limits.
- The allotment of extra time shall be at the discretion of the judges



### **7.3 Semi-Final and Final Rounds :**

- Four teams from the Quarter-Final Round shall qualify for the Semi-Finals.
- Semi-Final Round shall be a knock out round.
- The team shall argue only one side in the semi-finals. The side of the team shall be decided by way of the draw of lots.
- Each team will be allotted a total of 30 minutes to present their oral arguments.

### **7.4 Finals:**

- In the final round, the win-loss shall be decided on the basis of the aggregate score. No memorial score will be added in the finals.
- Each team will be allotted a total of 45 minutes to present their oral arguments.
- The timing can be divided between both the speakers according to the wishes of the team subject to a maximum of 25 minutes and minimum of 15 minutes per speaker.
- The time division has to be informed to the Court Manager/Clerk before the beginning of the oral arguments.
- A maximum of 5 minutes may be reserved for rebuttal or sur-rebuttal which shall be given at the discretion of the judges which shall be exclusive of the above time limits, in both semi-final and final rounds.

## VIII. RULES FOR WRITTEN SUBMISSION/MEMORIAL EVALUATION

- 8.1 Teams have to prepare and submit memorial from both the sides.
- 8.2 Late submissions beyond the stipulated time period shall be penalized according to the format mentioned herein in this section.
- 8.3 Format of memorial

Body of the memorial shall include:

The cover page with the cause
Table of contents
List of Abbreviations
Index of Authorities
Statement of Jurisdiction
Statement of facts
Statement of issues
Summary of arguments
Summary Advance
Prayer

- The font of the body of the memorial should be in the following format:  
Font of the body of the memorial: Times New Roman, size 12,  
Line spacing: 1.5  
Heading: Font size 14  
The font to the footnotes: Times New Roman, size 10.  
Body of text: Justified

Teams shall cite all authorities in the Written Submission using footnotes following the Bluebook Method of Citation (20th edition).

Footnotes should be limited only to citations and in no case shall footnotes contain additional information or arguments

- Memorial should be spiral bound.
- Pages should be numbered at the bottom middle.
- All the Memorials Received within the time schedule will be evaluated by the MEC.
- The Evaluation done by the MEC will be final and binding.
- Each team shall send one hard copy of each side to the organizers within the time limits prescribed in the rules. Any difference in the hard copy and the soft copy submitted will attract disciplinary action as per the discretion of MCC.
- The remaining 6 copies of the memorial of both the sides have to be brought along by the teams on 19th January 2019.
- The memorials shall not contain any form of identification apart from the team code.
- If any such identification or mark, symbol, etc. which has the effect of identifying the team is found on the memorial, then it shall result in instant disqualification.
- The memorial shall be of a maximum of 35 pages including the cover page and Pleadings. No annexure, photographs, exhibits, etc. should be added to the memorial.
- Each Memorial shall have the following and only the following on its cover page:
  - a) The team code on the upper right hand corner of the cover page
  - b) The name and place of the forum
  - c) The relevant legal provision under which it is filed
  - d) Name of parties and their status
  - e) On whose behalf the memorial is filed

## **IX. SUBMISSION OF THE MEMORIALS:**

- Two (2) soft copies from each side, one from the appellant and other from the respondent (one in PDF / .pdf format and and Microsoft Word format) must be emailed to [glsmootcourt@gmail.com](mailto:glsmootcourt@gmail.com) latest by January 9, 2019 (23:59 hours IST) with the subject “**Memorials for Team Code**”. The file names of the electronic copies of the Memorials must contain only the team code and the side being represented in the following format: e.g. (for Team Code TM0.1) TM01(A) or TM01(R),
- The deadline for submission of the hard copies of the memorials for all participants will be 11th January, 2019 by 12 p.m. (IST). The teams must send Eight (6) copies of their Memorials for each side to the following address:

*Address: GLS Law College,*

*GLS Campus, Opp. Law Garden,*

*Ellisbridge, Ahmedabad - 380006, Gujarat.*

**The content of these additional memorials should not differ from the content of the hard copies submitted to the Organisers.**

- **Petitioner memorials are required to have a Blue cover and Respondent memorials are required to have a Red cover.**

The Memorial shall be evaluated on following parameter:

<b>Description</b>	<b>Marks</b>
a) Knowledge of Facts	20
b) Knowledge of Law	20
c) Extent and Use of Research	20
d) Authorities Cited	15
e) Correct Format	15
f) Overall Performance	10

## X. PENALTIES :

Late Submission	1.5 mark per memorial every 12 hours after the deadline of submission. Disqualification beyond 48 hours.
Wrong File Name	1 mark per Memorial
Failure to submit Memorial as one File	1 mark per Memorial
Exceeding page limits	1 mark per exceeding page

Failure to include the sections in the Memorial	3 marks per section
Failure to include the required information on the cover page	1 mark per violation
Failure to use the correct colour coding	2 marks per Memorial

## **XI. Tie Breaker:**

In the event of tie between the marks of two teams, following criteria shall be considered in order of their mentioning;

1. Preliminary Round
  - a. Response to the queries of the court.
  - b. Application of legal principles
  
2. Quarter –finals
  - a. Memorial marks.
  - b. Response to the queries of the Court.
  
3. Semi-finals
  - a. Memorial marks.
  - b. Response to the queries of the Court.



## **XII. Accommodation and Food**

Accommodation and food shall be provided by the Organizers only during the days of the competition, i.e. from 18<sup>th</sup> January,2019 to 21<sup>st</sup> January,2019, Scheduled check in and check out times.

Teams coming either prior to the dates of the competition so mentioned or staying back after the dates of the competition shall bear the expenses of accommodation on their own. The Organizing committee shall not bear any such expenses.

The interested students are required, to inform the Organizing Committee, through their Travel & Accommodation Form, so as to enable them to make necessary arrangements. Under no circumstances the Organizer shall provide accommodation to any other person accompanying the team.

## **XIII Categories of the Awards**

- 1) Trophy to the Winning Team
- 2) Trophy to the First Runners Up Team
- 3) Best Memorial Appellant
- 4) Best Memorial Respondent
- 5) Best Researcher
- 6) Best Student Advocate from Appellant side
- 7) Best Student Advocate from Respondent Side
- 8) Certificate will be issued to all the participants.

In case of any Queries and Clarifications feel free to contact on [glsmootcourt@gmail.com](mailto:glsmootcourt@gmail.com).

### **INTERPRETATION OF THE RULEBOOK**

The interpretation of these rules by the organizer shall be conclusive. The decision of the organizers for the above stated rules shall be final and binding to the participating teams.

Rules should be strictly adhered to. Any deviation from the above stated rules would attract penalties at the discretion of the MCC.

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. The Organisers reserve the right to take appropriate action for any unethical, unprofessional and immoral conduct.

The Organiser's decision as regards the interpretation of rules or any other matter related to the competition will be final and binding.

If there is any situation which is not contemplated in the rules, the Organisers decision on the same shall be final and binding.

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.

In case of any grievance, the team shall register a complaint with the Student Coordinator and shall not approach the Bench of judges or any other faculty/office holder for the same.

All the above stated rules are inclusive for the competition.

