Notification

WHEREAS, Symbiosis Law School, Hyderabad, constituent of the Symbiosis International University, Pune has announced its '1st Symbiosis Law School, Hyderabad, National Moot Court Competition - 2016', to be held from 23rd September to 25th September, 2016 to enable law students from all across India to participate to showcase their mastery over law and legal principles;

NOW, THEREFORE, the Moot Court Association of Symbiosis Law School, Hyderabad, hereby makes the following rules, namely:-

Part I

Chapter I

Preliminary

1. (1) Short title and commencement: These rules may be called ‘NMCC Rules’, 2016.

   (2) They shall come in to force from the date of publication, on the official website of Symbiosis Law School, Hyderabad www.slsh.edu.in

2. (1) Definition: In these rules, unless the context otherwise requires, -

   (a) ‘Institution’ means and includes ‘Symbiosis Law School, Hyderabad’, a constituent of Symbiosis International University, Pune;
   (b) ‘Competition’ means the ‘1st Symbiosis Law School, Hyderabad, National Moot Court Competition - 2016’;
   (c) ‘Governing Council’ means the student-faculty-staff body appointed for the administration and smooth conduct of the competition, including all other members conferred with powers on ad-hoc basis by the ‘Ex-officio Chairperson’ or ‘Faculty In-charge’ of the Moot Court Association of Symbiosis Law School, Hyderabad;
   (d) ‘Team’ means and includes only bona fide representatives of any University, may that be state or central or any other department recognized/authorized by the Bar Council of India to impart law degrees, and who have applied and registered for the competition by complying with the procedure prescribed in these present rules;
(e) ‘Team Code’ means a unique code assigned by the institution to the applied and registered team;

(f) ‘Moot Problem’ means a set of facts published by the institution for competition;

(g) ‘Bench’ refers to the members duly invited by the institute, to adjudge any of the rounds, collectively;

(h) ‘Memorial Round’ refers to the assessment of memorials, submitted by teams, on the predefined criterion, hereinafter mentioned in these rules;

(i) ‘Oral Round’ refers to the oral pleadings made by the teams before the bench during any of the rounds of assessment, including time given for rebuttal;

(j) ‘Clarifications’ means explanation published by the institute on the moot problem, at any point of time of the competition;

(2) In these rules, except as otherwise indicated, a reference to a rule is reference to that rule in these rules, and a reference to a form is a reference to that form attached as annexes to these rules, as the case may be.

Part II

Chapter II

Registration Process and Fees Details

3. Eligibility. –

(1) Students duly enrolled and pursuing full time 5 year or 3 years undergraduate law course may apply in a team of 3, that includes two orators and one researcher;

(2) Students enrolled and pursuing post-graduate diploma or short term certificate courses in law are not eligible to apply;

(3) Students from any University/Department/Institute not recognized by the Bar Council of India, to impart law degrees are not eligible to apply;

(4) Any person, other than 3 team members are not eligible to avail facilities reserved for the student participants.

4. Registration Procedure. –

(1) (a) Each team shall provisionally register to the institute, by sending scanned copy of duly filled provisional registration form, in the prescribed manner (Refer Annexure - I) on or before 25th August, 2016, 05:00 pm.

(b) Late submission shall not be entertained, under any of the circumstance;
(c) No Demand Draft, either scanned or hard copy, shall be sent to the institute, along with provisional registration form;

(2) On receipt of the duly filled provisional registration form, the institute shall respond to the participating team, acknowledging the receipt;

(3) On completion of the timeline for provisional registration, as specified in clause (1)(a), the institute shall respond to each team with a unique team code, which shall be printed on the memorials in the specified place (refer to rule 6 clause 2(a)) and also shall be used to identify teams during the competition;

(4) Each registered team shall send soft copy of memorial from both sides to the governing council at mca@slsh.edu.in on or before 1st September, 2016, before 05:00 pm.

(5) The institute shall conduct memorial round subject to rule 6(1) to (7) and communicate result of the round to each team. Participation in this competition has been limited to only 20 teams selected in memorial round, purely on the basis of merit.

(6) Only selected teams as per rule 6 (1) to (7) shall send soft copy of the registration form, travel form and the demand draft by 8th September 2016 and a hard copy of registration form in prescribed manner (Refer Annexure – I), travel form (Refer Annexure – II) and hard copy of Demand Draft on or before 10th September, 2016, 05:00 pm.

(7) Registration to this competition is deemed to be confirmed only on completion of all formalities specified under clause (6), any failure, may be treated as deemed withdrawal from the competition and no claim of what so ever nature be entertained.

(8) On confirmation, any team may withdraw from the competition by sending a duly filled withdrawal form in a prescribed manner (Refer Annexure - III). No refund shall be given, under any circumstance.

(9) Any team, intending to change the team composition shall intimate the Governing Council by sending a mail to mca@slsh.edu.in However, this change is allowed only once and before 1st September, 2016.

5. Fees and Payment.

(1) The registration fees for the competition is Rs. 5000/- (In words- Rupees Five Thousand Only), which includes accommodation for competition days, food, pickup from airport/railway station, Library Facilities, Wi-Fi and any other facility provided by the institute to its discretion.
The registration fees as mentioned in clause (1) shall be paid only by Demand Draft to be drawn in favor of ‘Symbiosis Law School, Hyderabad’ payable at Hyderabad.

(3) The Demand Draft shall be the only mode of payment; registration fees in no other form shall be accepted.

(4) Fees shall only be paid on selection of team further to selection of memorial as per rule 6(1) - (7)

(5) The hard copy of the Demand Draft submitted will not be returned in case of withdrawal of registration.

Part III

Chapter III
Memorial Round and Selection for Further Rounds

6. Written Submissions and Memorial Round. -

(1) Each team shall research in to the domain of moot problem and subject to sub clause (2), rule 7 and rule 8, prepare memorial from both sides, namely, petitioner/appellant and respondent;

(2) The memorials shall have following heads, namely-
(a) Cover Page (It shall include the team code in upper right hand corner, name of the case, parties for which written submissions are made, name of the forum approached for dispute resolution, year.)
(b) Table of Contents
(c) List of Abbreviations
(d) Index of Authorities
(e) Statement of Jurisdiction
(f) Statement of Facts
(g) Issues Raised
(h) Summary of Arguments
(i) Arguments Advanced
(j) Prayer

(3) No team shall specify anything other than that mentioned under clause (2) to in order to maintain anonymity. Further rules regarding the same have been specified under rule 9.

(4) Each team shall submit soft copy (one in .docx and the other in .pdf) of the memorials from both sides to be mailed to the institute at mca@slsh.edu.in, on or before 1st September 2016, 05:00 pm.

(5) The memorials shall be assessed out of 100 marks, by a team of experts on a predetermined criterion, as specified here under-
(a) Clarity of Facts (20 marks)
(b) Use of Law (20 marks)
(c) Use of Authorities/Precedents (20 marks)
(d) Argumentation and Clarity of thoughts (20 marks)
(e) Presentation (10 marks)
(f) Originality (10 marks)

(6) Participation to this competition is limited to the top 20 teams, selected on the basis of their memorial marks, out of those provisionally registered further to rule 4(1)(a), purely based on the marks obtained in the memorial round.

(7) Result of the memorial round shall be declared on 5th September 2016 and is final and non-reviewable on any of the grounds. The result so published shall include a list of the selected 20 team codes and a waiting list of 5 team codes. The team codes published in the waiting list shall be allowed to participate only on occasion of withdrawal of selected team from the competition. Such information shall be made to the notice of the wait-listed team by the Governing Council.

(8) The selected teams shall be given an opportunity to improve the memorials after Memorial Round I. The last date to submit the new memorials is 13th September 2016, which have to be sent to mca.memorials@slsh.edu.in. The Selected Teams will have to bring hard copies of the new memorial along with them and submit the same at the time of registration (5 copies). Online submitted copies of the new memorials and hard copy submitted at the time of registration have to be identical. Any discrepancies observed may lead to severe penalties.

(9) It should be noted that those teams who fail to submit a new improved copy of their memorial shall be marked on the basis of their original memorials.

(10) The marks obtained by the teams for the memorials submitted after the refining period shall be treated as final for evaluation in the Preliminary rounds and for the purpose of awarding the Best Memorial.

7. Formatting and Citations. –

(1) All written submissions shall be typed on A4 size paper, in Times New Roman (font type), in 12 points (font size), line spacing 1.5, both side Justified, and headings to be in the same font and size, but with bold.

(2) No written submission shall contain any border.

(3) Each page shall have 1 inch margin from each side.
(4) Cover page of the memorial on behalf of petitioner/appellant shall be in blue, and respondent shall be in red. The memorial shall be spiral bound only and shall not contain more than 25 pages, excluding cover page, table of content and indexes.


8. Plagiarism. –

(1) Memorial or any other parts of the pleadings if found to be plagiarized, then the governing council reserves the right to disqualify a team, at any stage of the competition.

9. Anonymity Of Teams.-

(1) Teams shall not reveal their identity in any form, except by means of the Team Code allotted to them during the Competition.

(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.

(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) Any violation of Rule 6 (3) shall attract severe penalty or disqualification as determined by the Governing Council. The decision of the Governing Council in this regard shall be final and not subject to challenge.

(5) During the submission of the memorial, the email should have no reference to the name of the institution and should only contain the team code.

Chapter IV

Oral Pleadings and Selection Criterion

10. Dress Code. –

(1) The participants shall adhere to the following dress code while in the court rooms:
    a. Ladies: White salwar and kurta or white shirt and black trousers or skirt along with black blazer and black shoes; and
    b. Gentlemen: White shirt, black trousers and black tie along with black coat and black shoes.

(2) The above mentioned dress code extends to the Inaugural and Valedictory ceremonies as well.
11. Structure of the Competition. -

(1) The competition will be held for three days 23rd to 25th September, 2016. Inauguration of the competition along with draw of lots for the prelims shall be conducted on 23rd September, 2016. The Preliminary Round and Quarter Finals shall be held on the 24th September 2016 followed by the Semi Finals, Final Round and Valedictory on the 25th of September 2016.

(2) The competition shall have two Preliminary Rounds, one Quarter Finals, one Semi-Finals and the Final Round.

12. Scouting. -

(1) No member of any team will be permitted to hear the arguments in any courtroom in which that team is not one of the contesting teams whilst that team is in the competition. The Governing Council shall take strict action, which may include but not be limited to the expulsion of the said team from the competition.

13. Preliminary and Quarter Final Round. -

(1) Subject to rule 11(1) and (2) there shall be Preliminary and Quarter final rounds conducted.

(2) For preliminary Rounds -

(a) Each team shall argue once from petitioner/appellant side and then from respondent side.

(b) No team shall argue against the other team more than once in preliminary rounds and the same will be determined by draw of lots.

(3) The Quarter final round shall be a knock out round and teams are required to plead only once, side to be pleaded shall be based on draw of lots. The draw of lots for this round shall be determined by the following method:

- In order to ensure a fair proceeding, the top four teams shall not be allowed to argue against each other.
- The bottom four teams shall draw lots to decide their opponent, the opponent shall be a team that has secured one of the top four spots in the prelims.
- After which the side that the teams plead shall also be determined by draw of lots.

(4) In both rounds, each team will be given 20 minutes to present oral pleadings and additional 5 minutes shall be reserved for rebuttal.
(5) Teams are required to exchange their memorials and shall return the same intact to the governing council on completion of their respective rounds.

(6) Oral pleadings of the team would be adjudged by a bench of 2 judges, invited by the institution.

(7) Extension of timings shall be at the discretion of the judges.

(8) In no case researcher would be allowed to plead, however he/she is allowed to pass notes to the orator with the prior leave of the judges.

(9) Case compendium or any other relevant material to be submitted to the judges shall be submitted only through court masters. The case compendium submitted shall have to follow the rules of anonymity as per Rule 9.

(10) No team is allowed to carry laptop, I-pad, Mobile or any other electronic device inside the court room for research or any.

(11) No team shall indulge themselves in any act of misconduct in or out of the court room undermining the credibility of judges, which may lead to immediate disqualification.

14. **Semi-final Round.**

(1) Semi-final round shall be a knock out round. Side and teams would be determined on the basis of draw of lots.

(2) Each team will get minimum 40 minutes to argue from the allotted side, including 5 minutes time reserved for Rebuttals.

(3) Other governing standards apply as mentioned in rule 13 (5) to (11).

15. **Final Round.**

(1) Final round shall be a knock out round. Side would be determined on the basis of draw of lots.

(2) Each team will get minimum 45 minutes to argue, including 5 minutes for Rebuttal. Side on which teams would be arguing is based on draw of lots.

(3) Other governing standards apply as mentioned in rule 13 (5) to (11). 13(6) shall not be applicable in this round as the Final Round shall be judged by a bench of 3 judges.

16. **Assessment Criterion for Oral Pleadings.**

(1) Team performance shall be judged in all rounds on the basis of following criterion:

(a) Knowledge of the Facts (20 marks)
(b) Application of Laws to the Fact and Interpretation (20 marks)
(c) Argumentative Skills (20 marks)
(d) Clarity of Thoughts and Expression (20 marks)
(e) Court Mannerism (10 marks)
(f) Response to Questions (10 marks)

17. Qualifying rules. –

(1) Each preliminary round shall be decided on the basis of allocation of a total of 100 marks; which includes 30 marks of memorial round and 70 marks of oral pleadings.

(a) Any team scoring the highest out of 100, in each round, will be declared as winner.

(b) Any team winning both rounds will qualify for Quarter Final Round. If there are more than 8 teams winning both rounds then the overall marks will be a decisive criterion, obtained in both preliminary rounds and if, less than 8 teams have won both rounds even then marks obtained would be a decisive criterion. If there is a tie, to be qualified for quarter final round then, the team which has obtained higher memorial marks shall qualify to the quarter finals.

(2) Quarter final round would be a knock out round, marks obtained only in oral pleadings out of 100 will be a decisive factor in determining which team will qualify semifinals. In case of tie in oral pleading marks, then the memorial marks will determine qualifying team. Even if tie persists then, a team with highest individual score will qualify for semifinals.

(3) Semi-final round would be a knock out round, marks obtained only in oral pleadings, out of 100, will be a decisive factor in determining which team will qualify finals. In case of tie in oral pleading marks, then the memorial marks will determine qualifying team. Even if tie persists then, a team with highest individual score will qualify for finals.

(4) Average marks obtained only in oral pleadings out of 100 will be a decisive factor in determining whichever team has won the competition. In case of tie in oral pleading marks, then the marks obtained in written round will determine winner. If a tie persists, the team with highest individual score will be declared as winner of the competition.

18. Awards and Certificates. –

(1) Best team shall be awarded with a trophy, a cash prize of Rs. 20,000 and certificate of merit.

(2) Runners up shall be awarded with a trophy, a cash prize of Rs. 10,000 and a certificate of merit.
(3) Best speaker is determined on the basis of highest marks obtained in the preliminary round, and shall be awarded with a trophy, a cash prize of Rs. 5000 and a certificate of merit.

(4) Best researcher is determined on the basis of highest marks obtained in the memorial round, and shall be awarded with a trophy, a cash prize of Rs. 5000 and a certificate of merit.

(5) Every participating team shall have a ‘Certificate of Participation’. No ‘Certificate of Participation’ shall be granted to those teams who have not qualified the memorial round.

(6) Gifts and other prizes given by sponsors, if any, shall be additional to what has been mentioned in clause (1) to (5).

Part IV

Chapter V

Miscellaneous

19. Miscellaneous Provisions.-

(1) Accommodation shall be provided to the participants only during the days of the Competition, inside the Symbiosis International University, Hyderabad campus hostels. Accommodation shall be provided to male and female contestants separately.

(2) The governing council reserves the right to amend, modify, change or repeal any of the Competition Rules and the same shall be communicated to teams.

(3) All teams are bound to follow code of conduct and rules laid down by Symbiosis International University and its constituent departments.

(4) Carrying, possessing and consuming liquor, cigarettes or any other intoxicating material shall be dealt strictly.

(5) Any behavior of indiscipline with governing council or any other staff member or student volunteer shall be dealt strictly.

(6) No audio or videotaping of oral pleadings is permitted.

(7) No team shall ask for feedback immediately on completion of each round, however, at the end of all rounds member may talk to judges, with minimum inconvenience caused to them.

(8) Any attempt to approach framer of the moot problem or judges of the competition, prior to the competition shall be dealt strictly.

(9) In case of any conflict the decision of the governing council shall be final and binding.