

5TH NATIONAL MOOT COURT COMPETITION, 2021

On Constitution, Biodiversity and related Laws

[1-2 MAY, 2021]

RULES AND GENERAL GUIDELINES

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Rules of the Competition

I. Administration & Grievance Redressal

1. The Moot Court Society of the Law College Dehradun, faculty of Uttaranchal University shall function as the administrative body for all purposes of this Competition.
2. An Appellate Tribunal comprising of the Dean (Law), Head, (Law College Dehradun), the President of the Moot Court Society of the Uttaranchal University and two other independent persons to be appointed by the Dean (Law) shall settle appeals from the decisions of the administrators. Decision of the Appellate Tribunal shall be final and binding.

II. Eligibility & Team Composition

1. Students pursuing the three or the five-year LL.B. course in the academic year 2020-2021 from any law school/college/university in India recognized by the Bar Council of India (hereinafter BCI) are eligible to participate. Students pursuing their LL.M. may also participate if they are not enrolled as advocates with the BCI.
2. Law schools/colleges/universities are entitled to nominate only one team.
3. Teams shall comprise of a maximum of 3 (two designated as oralists and one as researcher) and a minimum of 2 (both designated as oralists, one of them shall take the Researchers' Test) members. No additional person is allowed to accompany the team.

III. Language, Dress Code & Conduct

1. The official language of the competition shall be English.
2. The participants must adhere to standards of conduct and dress as high as those required of a lawyer engaged in the practice of law in India, however, use of robes and/or collars is not permitted.

IV. Registration

1. The registration fee per team is INR 5000. Teams must make the payment of the aforesaid amount latest by 25th March, 2021.

❖ Account details are as follows:

- Account Name: **UTTARANCHAL UNIVERSITY**
- Bank Name: **BANK OF BARODA** (Premnagar Brach – Dehradun)
- Account no.: **85560100001819**
- IFSC Code: **BARB0DBPREM** (Fifth digit is 'ZERO')
- MICR Code: **248012018**
- Account Type: **SAVINGS**

[Note: Account details are also given on our website]

2. Teams may register themselves online provisionally at <http://lcdmcs.com/reg> and must complete their final registration by filling out the Final Registration form through the same link, latest by Thursday, 25 March 2021 (23:59 hrs. IST).

V. Accommodation, Food & Conveyance

1. Accommodation and Food shall be provided to all teams from the evening of Friday, 30 April 2021 to the morning of Monday, 3 May, 2021.

2. Conveyance to and from the venue shall be provided to all the teams, subject to their arrival at reasonable times. The teams must submit their travel plan online at <http://lcdmcs.com/tapr> by April 15, 2021.

VI. Clarifications (Moot Proposition & Rules)

Clarifications regarding the Moot Proposition or the Rules may be requested online at <http://lcdmcs.com/contact> latest by Saturday, 27 March 2021 (23:59 hours IST).

VII. Anonymity

1. Each team shall be allotted a team code upon final registration. Teams are forbidden from disclosing their identities to the judges or other participating teams or anywhere in their written submission; and must only use their respective team codes for all correspondence for the purpose of this Competition except with the administrators.
2. Disclosure of identity shall ensue immediate disqualification.

VIII. Memorial/Written Submissions

i. Submission

- a. Each team must prepare memorials for both parties, i.e., the petitioner/applicant and the respondent.
- b. A soft copy of the memorials must be e-mailed to the administrators (one each in MS Word .doc/.docx format and one each in PDF) at lcdmcs+memo@uttaranchaluniversity.ac.in latest by **Tuesday, 20 April 2021** (23:59 hours IST) and the subject of the email should be “**Submission of Memorials for TC-**”. The file names of the electronic copies of the Memorials must contain only the team code and the side being represented (P for Petitioner & R for Respondent). Eg. Petitioner Memorial of TC-1 should be named 1P.
- c. Four hard copies of the memorials (8 in total) must be submitted to the administrators at the time of reporting on **Saturday, 1 May, 2021**. The hard copies must be identical to the soft copy, else, disqualification would ensue.

ii. Compendium

- a. Compendium means a compilation of cases and other materials referred to in or supporting the written submission that are or may be submitted by a Team.
- b. The Compendium shall only contain the first page of the cited authority along and the relevant pages.

iii. Format of the Memorials

- a. Memorials must be drafted in the SAMPLE MEMORIAL FORMAT that can be downloaded from <https://lcdmcs.com/downloads>. The Sample format contains a cover page and all sections that are to be included in the Memorial. Teams are strictly advised to adhere to the same format and any deviation from the sample format shall ensue disqualification.
- b. The Memorial shall be printed on only one side of A4 size paper, with the following mandatory formatting specifications:
 - ✓ 1 inch margin on all sides;
 - ✓ Time New Roman typeface with 12 font size; and
 - ✓ 1.5 line spacing.
- c. Teams shall cite authorities in the Memorial using footnotes by following the SILC MANUAL downloadable from <https://lcdmcs.com/downloads>.

Explanatory or illustrative footnotes are not allowed. For footnotes, the formatting specifications are:

- ✓ Time New Roman typeface with 10 font size; and
- ✓ Single (1) line spacing.

- d. The Memorials shall be spiral bound.
- e. The following colour scheme shall be followed for the Cover Page of the Memorials: **PETITIONER: BLUE** and **RESPONDENT: RED** (The cover pages are already colour coded in the sample memorial).

iv. *Penalties*

- a. Late Submission: 2 points for every 12 hours delay; disqualification after 48 hours.
- b. Incorrect filename: 1 point per file.
- c. Deviation from Sample Memorial format: 2 points for each instance.
- d. Improper formatting: 2 points for each instance.
- e. Improper citations: 5 points.
- f. Exceeding page limit in argument section: 2 points per page.

v. *Evaluation of Memorials*

- a. Every Memorial will be marked on scale of 100.
- b. The criteria for judging the memorials shall be:
 - Knowledge of Law and Facts : 20
 - Proper and Articulate Analysis : 15
 - Depth and Use of Research : 15
 - Organization and Presentation : 15
 - Grammar and Language : 10
 - Novelty of Arguments : 15
 - Clarity of Thought & Originality : 10

vi. *Qualification of Memorials and Seeding*

- a. A total of 24 teams shall participate in the Competition.
- b. The 24 teams shall be selected based on FIRST-COME-FIRST-SERVE-BASIS. Only these 24 teams shall be eligible to participate in the Oral Rounds of the Competition upon payment of registration fee.
- c. The 24 teams shall be seeded or ranked on the basis of their memorial scores and thus a Preliminary Seeding Chart shall be prepared for Oral Rounds. The Seeding chart shall not be disclosed so as to maintain the spirit of the Competition.

vii. *Exchange and Return of Memorials*

- a. There shall be an exchange of Memorials between the respective opposing teams, in accordance with the fixtures as determined by Seeding, prior to all the rounds of the competition.
- b. The teams are prohibited from making any marks on the exchanged Memorials and must return the Memorials to the administrators after each round. The teams are prohibited from making any copies of the exchanged Memorials.

IX. **Researchers' Test**

1. The Researchers' Test shall be conducted on Saturday, 1 May 2021. Participation in the Researchers' Test is mandatory for all Teams and failure to participate may result in disqualification subject to the discretion of the administrators.
2. In case of Teams with three Members, only the designated Researcher shall write the test and such Researcher shall not be allowed to address the forum during

the Oral Rounds. A Team violating this rule may be disqualified from the Competition.

3. In case of Teams with only two Members, either of those Members may write the test.

4. The duration of the Researchers' Test shall be 1 hour. The questions may be subjective or in Multiple Choice Question Format or mixed.

5. Researchers' Test shall test the knowledge of the laws involved as well as the factual details of the Case and the application of the relevant laws to the circumstances in the moot problem.

X. Oral Rounds

i. Oral Submissions

- a. The order in which teams shall submit their oral submission throughout the Competition shall be: Counsels for Appellant/Petitioner followed by Counsels for the Respondent.
- b. The time split between the speakers must be communicated to the Court Masters prior to the commencement of each Round. Once so informed, these timings may not be changed.
- c. Delay in appearance for a round exceeding five (5) minutes will render disqualification of the team for that round. In such a case, their opponent shall make their oral submissions ex-parte.
- d. Any Compendium of cited authorities may be submitted to the Court Masters prior to the oral pleading session. However, any further document may also be submitted during the proceeding, at the discretion of the bench.
- e. Use of any electronic device is prohibited during oral rounds.
- f. Team members may pass written material to the Orator who may be speaking, in a discreet manner without disrupting court proceedings.

ii. Evaluation of Oral Rounds

- a) Each oralist shall be marked on a scale of 100.
- b) Evaluation shall be done on the basis of the following criteria:

| | |
|---|----|
| ✓ Knowledge of Law: | 20 |
| ✓ Application of Law to Facts: | 20 |
| ✓ Ingenuity and Ability to Answer Questions | 20 |
| ✓ Use of Authorities | 15 |
| ✓ Style, Poise, Courtesy, Demeanour | 10 |
| ✓ Time Management and Organisation | 10 |
| ✓ Effective Rebuttals | 05 |

iii. Preliminary Rounds

- a. Each team shall have to argue from both the sides.
- b. Time limit for the oral submissions in each round shall be twenty-five (25) minutes for each team. This shall include the submissions of both the speakers from the team and the time reserved for rebuttal/sur-rebuttal. No speaker may reserve more than fifteen (15) minutes for his/her individual oral submissions. Only one speaker from each team shall be permitted to rebut/sur-rebut and team shall not reserve more than five (5) minutes for rebuttal or sur-rebuttal; and the sur-rebuttal shall be limited to the rebuttals made by the opponent team.

iv. Quarter-Final Rounds

- a. Time limit for the oral submissions shall be thirty-five (35) minutes for each team. This shall include the submissions of both the speakers from the team and the time reserved for rebuttal/sur-rebuttal. No speaker may reserve more than

- twenty (20) minutes for his/her individual oral submissions.
- b. Clause 'c' of the preceding section shall apply mutatis mutandis.

v. *Semi-Final Rounds*

- a. Time limit for the oral submissions shall be forty-five (45) minutes for each team. This shall include the submissions of both the speakers from the team and the time reserved for rebuttal/sur-rebuttal. No speaker may reserve more than twenty-five (25) minutes for his/her individual oral submissions.
- b. Clause 'c' of section *iii* shall apply mutatis mutandis.

vi. *Final Round*

- a. Time limit for the oral submissions shall be forty-five (45) minutes for each team. This shall include the submissions of both the speakers from the team and the time reserved for rebuttal/sur-rebuttal. No speaker may reserve more than twenty-five (25) minutes for his/her individual oral submissions.
- b. Clause 'c' of section *iii* shall apply mutatis mutandis.

XI. Structure of the Oral Rounds

i. *Preliminary Rounds*

- a. The teams shall be paired on the basis of the Preliminary Seeding Chart as per the provisions of Rule VIII - *vi(c)*. Pairing of teams in the two preliminary oral rounds are as aforesaid.
- b. No two teams will argue against each other more than once in the Preliminary Rounds.
- c. The top 8 teams based on their win/loss ratio (Win Loss Ratio is the ratio of number of Wins versus the number of Loss in the Preliminary Rounds.) and Total Preliminary Score (Total Preliminary Score is the total score obtained by both the speakers in both the Preliminary Rounds. Total Preliminary score does not include the memorial scores.) in the Preliminary Rounds, shall qualify for the Quarter Final Rounds. Further, following shall be the system for determining the teams that advance to the Quarter Final Rounds.
- d. 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.
- e. 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.
- f. If there continues to be a tie, then the team with the higher Memorial scores shall qualify to the Quarter Final Rounds.

ii. *Advanced Rounds*

- a. All the advanced rounds will be knock- out rounds.
- b. The side on which a Team will be arguing will be decided by a draw of lots with the Teams picking the lots. The matchups will be based on the ranking in the preceding round.
- c. In case of a tie, the marks obtained in the Memorials will be considered. The Team with the higher score will win.

XII. Scouting

1. Scouting is not permitted and it shall be deemed to have happened if the Speakers, Researcher or any other person affiliated with a team is found:
- a. Witnessing, hearing, observing, etc. the oral submissions in an oral round,

except where the oral round is the final round or one in which the team to which he/she is affiliated is participating in;

- b. Reading a Memorial of a team except where: it is of the team to which he/she is affiliated; or the Memorials have been obtained on account of an exchange of Memorials prior to a Round of the team to which he/she is affiliated.

XIII. Awards

1. The team with the maximum score in the final round will be declared as the “Winning Team” and shall be awarded a trophy & a cash prize of INR 25,000/- whereas the team with the second highest score in the final round will be declared as the “Runners up Team” and shall be awarded a trophy & a cash prize of INR 15,000/-
2. The two speakers (one male and one female) with the maximum score in the Preliminary Rounds will be declared the “Best Oralist - Male/Female” and shall be awarded a trophy and a cash prize of INR 5,000/- each.
3. The team with the maximum Memorial scores shall be awarded a trophy and a cash prize of INR 5,000/-
4. The person securing maximum marks in the Researchers’ Test shall be awarded trophy and a cash prize of INR 5,000/-
5. Certificates and a memoir shall be awarded to all participating teams. Certificates shall also be awarded to teams that do not qualify the Memorial Elimination Round if so recommended by the Memorial Review Board on basis of the quality of their memorials. Some surprise gifts may also be awarded.

XIV. Miscellaneous

1. Information given to any participant of a team shall be deemed to be communicated to the whole team.
2. Registration fee paid are non-refundable.
3. The Proposition is neither intended to nor does it attempt to resemble any incident or any person, living or dead. Any such resemblance is purely coincidental. The Proposition is a fictitious factual account prepared for the purposes of the present Competition only and it does not attempt to influence or predict the outcome of any matter whatsoever.
4. The copyright in the Memorials submitted by the teams shall vest with the administrators. The acceptance of such vesting is a precondition to participation in the Competition.
5. The Administrators reserve the right to amend, alter, vary or change, in any manner whatsoever, the Rules governing the Competition, which would be communicated to the teams within a reasonable period.

SCHEDULE/IMPORTANT DATES

| | |
|---|----------------|
| RELEASE OF COMPETITION & BEGINNING OF PROVISIONAL REGISTRATION | March 1, 2021 |
| RELEASE OF MOOT PROPOSITION | March 7, 2021 |
| LAST DATE OF FINAL REGISTRATION [lcdmcs.com/reg] with PAYMENT OF FEES [lcdmcs.com/tapr] | March 25, 2021 |
| LAST DATE FOR SUBMISSION OF TRAVEL FORM [lcdmcs.com/tapr] | April 15, 2021 |
| LAST DATE OF MEMORIAL SUBMISSION [Submission of Memorials at: lcdmcs+memo@uttaranchaluniversity.ac.in] | April 20, 2021 |
| a. INAUGURATION CEREMONY b. RESEARCHERS' TEST c. PRELIMINARY ROUNDS | May 1, 2021 |
| a. QUARTER-FINAL ROUNDS b. SEMI-FINAL ROUNDS c. FINAL ROUNDS d. VALEDICTORY CEREMONY e. GALA DINNER | May 2, 2021 |

SATURDAY, 01 MAY 2021

07:30-08:30 AM: Reporting of Teams and Formal Registration

09:00-10:30 AM: Inauguration Ceremony

Researchers' Test

[Researcher from each Team shall take the test during the Inauguration Ceremony.]

10:30-11:30 AM: Allotment of Court Rooms, Exchange of Memorials & Orientation Program

[JUDGES' BRIEFING SHALL BE SCHEDULED SIMULTANEOUSLY, PRESENCE OF PARTICIPANTS BARRED.]

12:00 NOON-02:00 PM: Preliminary Round I

02:00-03:00 PM: Lunch

03:00-05:00 PM: Preliminary Round II

05:00-06:00 PM: High Tea

06:00-06:30: Announcement of Results followed by Draw of Lots, Exchange of Memorials & Allotment of Court Rooms for Quarter-Final Rounds

06:30-08:30 PM: Quarter-Final Rounds

[RESULTS TO BE DECLARED IN THE COURT-ROOM ITSELF]

08:30-09:00 PM: Exchange of Memorials, Draw of Lots & Allotment of Court Rooms for Semi-Final Rounds

09:00-10:00 PM: Dinner

SUNDAY, 2 MAY OCTOBER 2021

[Breakfast at the Venue of Accommodation]

08:00-10:00 AM: Semi-Final Rounds [*Results to be declared in the Court Rooms itself*]

10:00 AM-10:30: Draw of Lots, Exchange of Memorials for Final Round

10:30-12:30 PM: Final Round

12:30-02:30 PM: Announcement of Results followed by Valedictory Ceremony and Prize Distribution

02:30-03:30 PM: Lunch

06:30-08:30: GALA DINNER



Moot Court Society

Law College Dehradun, Faculty of Uttaranchal University
Dehradun – 248007, Uttarakhand

For more details visit:
WWW.LCDMCS.COM

or write us on:
lcdmcs@uttaranchaluniversity.ac.in

or contact:

Ms. Anna Anu Priya
President, MCS: +91 7004600499

Mr. Mohd. Danish Khan
Vice-President, MCS: +91 7351879217

Mr. Krishna Rastogi
Convener, MCS: +91 9721907945

Mr. Abhishek Aggarwal
Secretary (Administration), MCS: +91 8383039042

Mr. Rahul Kumar
Committee Head (Judges & Guests), MCS: +91 7903435470

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