

ASCENT MOOT, 2016

RULES AND REGULATION

CONCEPT NOTE

AMCC (INTERNATIONAL / NATIONAL) is the 5th Annual Internal Elimination Round for the selection of mootng Contingent-X of Symbiosis Law School, NOIDA.

Symbiosis Law School, NOIDA

Moot Court Society

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INTRODUCTION:

Moot court society of Symbiosis Law School, NOIDA (hereinafter MCS-SLSN) announces its 5th Annual edition of ASCENT Moot Court Competition, 2015 (hereinafter AMCC) for the selection (internal moot elimination round) of pleaders and researchers to its Contingent-X (hereinafter C-X) for representing Symbiosis Law School, NOIDA in all the External Moot Court Competitions (hereinafter EMCC) during the academic year June 2016 – May 2017.

This time again, we are organizing two separate selection rounds named as 'ASCENT-National' and 'ASCENT-International' with separate moot problem for both, participation of a contesting team is possible only in one of them (i.e. either National or International). Each round shall happen on the same day and time in separate court rooms. Registration, participation, selection and allotment in 'ASCENT-National' and 'ASCENT-International' are completely separate. The auction system is shelved for now. The list of moot competitions that shall be participated in each of the 'ASCENT-National' and 'ASCENT-International' rounds are annexed as 'A'.

Aspirants must perceive themselves in;

- Ability to manage regular internships and running internships during and post academic schedule.
- Ability to manage scheduled internal, external examinations alongside mooting.
- Ability to manage their maximum class attendance, health and deliver work within time.
- Ability to deliver individually and manage team work, (if there will be lapses in the commissioning of work, first time – express warning, second time – express termination).
- Ability to perform without complaints and blame-games.
- Ability to maintain total academic discipline and professional culture.

PRELIMINARY:

The MCS-SLSN is organizing **ASCENT Moot Court Competition** on **Sunday 03.04.2016** at **08.00 hrs IST**. Contestants are requested to follow the rules strictly, in case of ambiguity or doubt, feel free to ask the relevant questions referring to rules etc. through mail to ascentmoot@symlaw.edu.in ;

A. 'ASCENT Moot Court Competition' is 'Internal Elimination' round for the selection of contestants to represent SLS-NOIDA in all/any external moot court competitions.

B. 'External Moot Court Competitions' shall include all inter-collegiate moots that SLS-NOIDA participates from time to time including moot court competitions hosted by or associated with SLS-NOIDA.

C. CONTINGENT-X means group of students that will be selected out of all the candidates / participants / contestants of AMCC.

D. Only selected candidates of the 'C-IX' will be given an opportunity to represent SLS-NOIDA in 'EMCC' during July 2017 – July 2017.

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E. MCS-SLSN shall select only 20 members (5x4 teams) 'International Moots' which can participate only in their dedicated moots. MCS-SLSN shall select 30 members (10x3 teams) for 'National Moots' which can participate only in their dedicated moots. In case of deficiency in meeting minimum standards of selection or criterions of qualification by the participants, we may contract the total members in 'C-X' without prior notice and further clarifications.

GENERAL RULES:

1. PARTICIPATION:

1.1. 'AMCC' is open to all the students of BBA/BA.LL.B (Batches: 2012-17, 2013-18 & 2014-19). It is immaterial whether any student of those Batches have participated or not in any edition of the NASCENT/ASCENT MOOT, or, whether they had been or not part of any of the previous Contingents, have participated or not in any moot competition at any level under our banner/name till date.

1.2. There is only one participation of one contestant in any one team as its member, in either 'ASCENT-National' or 'ASCENT-International', therefore, if the name of anybody is found in more than one team either in 'ASCENT-National' or in 'ASCENT-International', the latest 'AMCC' REGISTRATION FORM will be valid for the individual and team, so, the former 'AMCC' REGISTRATION FORM be disbanded/disqualified for participation, the remaining member shall make a new team within the notified time as per notification and schedule. So a team has to participate in either 'ASCENT-National' or in 'ASCENT-International' only.

1.3. Any contestant applying for and if selected in the International Contingent must necessarily apply within a week of announcement of AMCC-Results and procure her/his valid passport within the shortest time. Those who have the same must check its date of expiry, and kindly submit Photostat of the same immediately.

1.4. Team currently participating in National or International (external) mootting competitions as part of last edition of AMCC-2015 are supposed to participate in this edition if they want to moot for the session 2016-17. Pleading reschedule may be organized only for those team and members who have their pleading round during April 1st week, 2016. For the same teams / AMCC-2016 participants are supposed to convey on mootcourt@symlaw.edu.in .

2. REGISTRATION:

A student may register for the 'AMCC' in accordance with the procedure laid down here under:

2.1. Download the 'ASCENT MOOT REGISTRATION FORM' (hereinafter AMRF).

2.2. Fill all the columns of your AMRF, each member of a team must personally sign on the AMRF at the space provided for the same, and self-attest his photograph pasted thereof.

2.3. Scan the duly filled AMRF in PDF format only, give your team-name to the scan page, e.g. 'ABC-XYZ'.

2.4. Attach your (filled + signed + scanned) 'AMRF' in the mail attachment. The SUBJECT of the mail should be 'Registration-National' or 'Registration-International'. The body of the

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mail should comprise of participants name and reasons for participation in the moot exercise.

2.5. Only one of the team member on behalf of team shall send the same to ascentmoot@symlaw.edu.in

2.6. Please check sent item of your mail delivery confirmation, MCS shall not be liable for the bounced or undelivered mail.

2.7. The registration shall be confirmed by MCS to the participants by sending confirmation in the next 24hrs of 'Last date of Registration for the AMCC, if you don't get response from us within the stipulated time, kindly check and repeat the mail registration procedure until finally done with.

3. TIME:

3.1. A student may register for the 'AMCC' within the stipulated date and time as mentioned in the schedule announced and the same is attached herewith.

3.2. Any delay in the registration procedure or non-compliance with the registration formalities or partially complying after the expiry of the scheduled dates of registration, **WILL BE TERMED AS NO REGISTRATION**, therefore, no claim subsists for her/him, there are no provisions for any extenuating circumstances.

4. WITHDRAWAL:

4.1. After registering for the 'AMCC', a team can withdraw its participation before the last date of registration is over, as per the procedure laid down, in the following manner;

4.1.1. Withdrawal of one member of a team is invalidation of that team, therefore, the residual team member has to register as a new team with some other person as a team member, within the stipulated time of registration, as per general procedure and schedule of registration mentioned in the notification,

4.1.2. Withdrawal of one member of a team after expiry of the scheduled date of registration has to be reported earliest or at most by **March 07th 2016** to ascentmoot@symlaw.edu.in , MCS will designate a team member with the residual contestant, which cannot be denied by him.

5. ABSENCE:

5.1. Team/team member who fails to turn-up for the contest on the pleading day for any reason shall be deemed to have impliedly withdrawn her/his candidature from participating in 'AMCC', thereafter, no claim should subsist for him. There is no provision for any extenuating circumstances.

5.2. Travel, internship, health and climate are not our consideration; these are to be taken care by the contestants themselves.

5.3. The left over member will participate and contest as a 'SINGLE-COUNSEL', whatever points/marks she/he scores, shall be counted in principle on individual basis only, but,

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she/he even if scores, shall not be in the main list, may only be in the 'waiting list' if found suitable, provided, we publish waiting list if possible anyway as per policy.

6. COMPOSITION:

6.1. It is to be noted that the students are free to form a team (of 2 pleaders only) of their own choice for participating in this round of competition.

6.2. The judge would be marking each team jointly and severally, contestants will be selected as individuals for 'C-X'.

6.3. The MCS will form mooting teams from 'C-X' based on its own strictures for sending the teams for participation in the national/international competitions.

7. DEEMED ATTENDANCE:

7.1. No exemption in attendance from classes/tutorials/examinations internal or external/internships etc. is available/applicable for the preparation of 'AMCC'.

7.2. The provision of deemed attendance/exemption from classes is completely abolished now for the preparation of any moot competition at any level representing SLS-NOIDA.

7.3. Deemed attendance in case of 'EMCC' will be available only for the duration of travel and competition, excluding Sunday and Holiday. That shall commensurate with the itinerary of the competition and hosts.

7.4. Participants should take note of the rules; 'C-X' should not raise the issue of exemption further during their preparation for the 'EMCC'.

8. RESEARCHERS:

8.1. There is a separate mandatory researcher test for all the applicants of 'AMCC' for the ranking of all the participants and for selection of researchers in 'C-X'.

8.2. Researcher's test shall be completely based on the respective moot problems.

8.3. The researcher rank shall be commuted to courtroom rank. The same shall be used in allotment.

9. SELECTION:

9.1. Pleadors (individual) would be selected on the basis of their memorial and pleading marks.

10. SAVINGS:

10.1. Keeping in view the rules laid in the PRELIMINARY. Anybody who has not participated or participated but not selected in/through 'AMCC' for 'C-X' is not part of MCS for mooting for the academic year July 2016 - July 2017.

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10.2. No student shall be allowed to participate in any moot court competition at any level except through the express allotment by the MCS of SLS-NOIDA for the purpose.

10.3. Any moot court competition which is not in the participation list of MCS of SLS-NOIDA cannot be registered by any bonafide student of the SLS-NOIDA unless by the express / special permission in compliance with all the rules specially laid down / notified for the same purpose.

10.4. It is not open for anybody to participate in any such competitions which are on the pattern of interviewing techniques, client counseling, mock trials, arbitration, mediations, conciliation, judgment writing, treaty appreciation etc. unless by the express / special permission in compliance with all the rules specially laid down / notified for the same purpose.

11. ORAL ROUND:

11.1. **DRAW OF LOTS:** There will be pairs of teams available to contest oral rounds in a designated court room, each team shall be arguing only once in the oral pleading round from either side i.e. Plaintiff or Respondent based on the draw of lots in the respective court rooms an hour before the pleading in the presence of the bench. There will be no exchange of memorials among the contestants.

12. TIME DURATION:

12.1. In the oral rounds each team shall speak for a period of not more than 20 minutes, 05 minutes are saved for rebuttal and sur-rebuttal.

12.2. There is no further rebuttal of sur-rebuttal and so on so forth, if it happens, it will not be counted, except answering the questions and clarification asked by the bench.

12.3. Before the start of the Oral Rounds of any team, the Speakers of the team shall inform the court masters regarding the distribution / allocation of time between them, each speaker shall speak to the minimum of eight (08) minutes.

12.4. The time allotted must be taken care by the pleader; otherwise, bench may take overtime in negative.

13. STANDARDS:

13.1. All the standard moot court mannerism must be followed as applicable to national and international level competitions, keeping in view the subjective law. It cannot be explained as is a matter of evaluation.

14. DRESS CODE:

14.1. The dress code for the competition is advocate uniform as per Advocates Act, 1961 without band and gown, violation of which will bar a contestant from appearing in the 'Oral Round'.

14.2. The dress code is applicable on all the pleading teams.

15. SCOUTING:

15.1. Sitting in other court room(s) or listening to the proceedings of any other team inside their court room is strictly prohibited and is a fit case of SCOUTING and termination of the suspect individual or team.

15.2. MCS-SLSN prohibited the entry of anybody inside the court room except especially/expressly permitted for a designated job. Meaning thereby, even non-participants cannot jump to be audience. If found any, disciplinary action shall be taken against them.

16. EVALUATION OF ORAL ROUNDS:

16.1. The oral pleadings would be marked on the scale of 100 per judge. However for the purpose of calculation the average score of all the judges would be taken to the scale of 100. The oral rounds will be evaluated on the following grounds:-

Marking Criteria (Maximum Marks Allocated)

| | |
|--|------|
| 1. Knowledge of facts | (10) |
| 2. Knowledge of laws | (20) |
| 3. Framing of Issues | (10) |
| 4. Advocacy (Arguments / Expressions/ Articulations) | (30) |
| 5. Use of Authorities | (20) |
| 6. Court Mannerism | (10) |

17. MEMORIALS:

SUBMISSION OF MEMORIALS:

1. Each team must prepare memorials for both sides (Plaintiff & Respondent) / as applicable parties. The memorial shall be addressed to the respective court of competent jurisdiction.

2. PLAGIARISM & COPYING:

2.1. It is a joint and several duty of the team and its members, that, memorials should not be copied among the contesting teams at all as a whole or in parts, if found so, it will be a serious violation of rules and subject matter of plagiarism, academic indiscipline and breach of law.

2.2. The originator of the material if allowed copying by not taking genuine safe keeping measures, is a proven guilty, similarly, a person lifting the material without proof, authenticity and mentioning the source, presenting any work as his own, is a proven guilty.

2.3. In these cases, how so ever these may be, shall be dealt stringently, so the proven guilty person(s) shall be barred from appearing in the 'Oral Rounds'.

3. SUBMISSION FORMAT:

The soft as well as hard copy submission/printing shall be in the PDF format only. Memorials in any other format shall either be returned or subject to revision of format or unacceptable.

4. SOFT COPY SUBMISSION:

4.1. Soft copy of the memorials (as per format mentioned below) from both sides must be sent as an e-mail attachment to ascentmoot@symlaw.edu.in strictly as per scheduled time and date announced and mentioned. Only one of the team members on behalf of team may send the same.

4.2. The subject of the mail should only be 'ASCENT-National' or 'ASCENT-International', the memorials shall be attached as 'PLAINTIFF-XXX (TEAM CODE)' & 'RESPONDANT-XXX (TEAM CODE)', mail should be addressed to the MCS, sender 'TEAM CODE-TEAM NAME'.

4.3. Delay of each-day in mailing the memorials will invite deduction of 05 marks from both sides of the memorials of the team.

4.4. Please check your sent mail item for the mail delivery confirmation, MCS shall not be liable for the bounced or undelivered mail.

4.5. Please check your same mail inbox within next 24 hrs of last date of submission of Memorials as per schedule, sent as 'ASCENT-National' or 'ASCENT-International' to us, we will acknowledge you the receipt of Memorials, if you don't get response from us within this stipulated 24 hrs, kindly send us an inquiry mail.

4.6. Once the soft copy of the memorials has been submitted as per schedule, no revisions, additions or formatting will be allowed at the time of hard copy submissions. If found so, there shall be a penalty of 05 marks on each page moderations, applicable to text and footnote both.

4.7. We will not take into account any crashing of hard drive, loss of data, loss of gadgets etc. as a ground of extension of time or delayed submission or concession of time etc. even procuring and producing credible evidences will not bend the rule for any one or for all.

4.8 Team currently participating in National or International (external) mooted competitions as part of last edition of AMCC-2015 and expressly exempted from the current schedule of AMCC-2016 will be pleading on a revised date as may be notified. They are supposed to submit soft copy of their memorials as per the revised schedule to be announced for them.

5. HARD COPY SUBMISSION:

5.1. Each team must submit **02 copies** (stapled only) of the memorial for the Plaintiff and the Respondent as mentioned in the schedule and announced herewith, to their court master at the time of DRAW OF LOTS.

5.2. Delay in submitting or non-submission of the memorials will invite expulsion of the team from the AMCC-16.

5.3. The 'Team Code' is to be mentioned on top of the page at the extreme right hand side only on the cover page of both memorials.

5.4. Names of the participating team shall not be mentioned anywhere in the memorial. If the said rule is violated, the memorials shall not be accepted. And consequently, if because

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of the correction proceedings, the submission of the spiral bound memorials is delayed by the contestant(s), it will attract the penalty of marks as per applicable rule(s).

5.5. Once the soft copy of the memorials has been submitted as per schedule, no revisions, additions or formatting will be allowed at the time of hard copy submissions. If found so, there shall be a penalty of 05 marks on each page moderations, applicable to text and footnote both. Even formatting, change of colour, spacing, font type/size etc. are tantamount to change in the script and shall attract penalty.

5.6. MCS will not take into account, even on credible evidences, rush or queue at the campus photocopy shop, non-availability of coloured paper, spiral binding unavailable, insufficient print out facility at campus computer lab or stationary shop etc. as grounds of extension of time or delayed submission or concession of time etc. in any case, we will not bend the rule for any one or for all.

5.7. Environment Conscience (No Plastic)

5.7.1. Stapled Memorials shall not carry any transparency, plastic front and back cover etc. except the spiral thread. Thick colour paper sheets may be used only for the cover and the back.

5.7.2. There shall be printing of memorials **strictly** on both sides of the paper.

6. COLOUR SCHEME:

6.1. The colour of the cover page must be **BLUE** in case of plaintiff / petitioner / appellant and **RED** in case of respondent.

6.2. The colour scheme is applicable to both forms (Soft and Hard copy) of memorial submissions.

7. FORMAT OF MEMORIAL

The memorial should consist of the following parts:-

- Cover page
- Table of contents
- Index of authorities
- Statement of jurisdiction
- Statement of facts
- Statement of Issues
- Summary of Arguments
- Arguments Advanced
- Prayer
 - The following part of the memorial should not exceed 20 typed pages:-
 - Summary of arguments
 - Arguments Advanced
 - Prayer
 - The memorials should be printed on **BOTH** side of the paper, typed on A-4 sheet with black ink.
 - The font of the body of the memorial should be Times New Roman Size – 12, spacing 1.5.

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- The foot notes should be a Times New Roman Size – 10, spacing single.
- Memorial must have 1 inch margin on all sides of the each page.
- Relevant annexure may be kept as compendium if any use to you.

8. EVALUATION OF MEMORIAL:

Every memorial will be marked on the scale of 100. The memorial would be evaluated according to the following criteria:

Marking Criteria (Marks allotted)

1. Summary of facts (05)
2. Issues raised (10)
3. Grammar & Style of Presentation (10)
4. Application of law to facts (25)
5. Use of authority (20)
6. Proper citation & correct format (10)
7. Originality in presentation (10)
8. General impression & clarity of thought (10)

18. SCHEDULE: 'AMCC' problem, applicable rules and schedule are attached herewith.

SYMBIOSIS LAW SCHOOL, NOIDA | MOOT COURT SOCIETY

ASCENT MOOT, 2016

SCHEDULE & TIMELINES

| <u>S.N.</u> | <u>Particulars</u> | <u>Dates & Deadlines</u> |
|-------------|---|--|
| 1 | Release of Moot Problem and Rules | 03-Feb.-16 |
| 2 | Registration by e-mail : <u>Last Date</u> | 24:00 hrs 07 th March. 2016 |
| 3 | Clarifications of doubts : <u>Last date</u> | 24:00 hrs 14 th March. 2016 |
| 4 | Submission of Memorials : (Soft copy) | 24:00 hrs Saturday 2 nd April, 2016 |
| 5 | Submission of Memorials : (Stapled) | Sunday 3 rd April, 2016 |
| 6 | Moot Pleading Rounds | Sunday 3 rd April, 2016, 08:00 am |

THANK YOU ALL

MOOT LIST - MCS-SLSN

World Class: These are the widely recognised international mooting events where a substantial number of Indian teams participate. These moots enjoy worldwide reputation among law students. MCS-SLSN shall allot the following moots.

Total number of moots in this tier:

1. Philip C. Jessup
2. Willem C. Vis International Commercial Arbitration Moot
3. DM Harish Moot
4. ICC Trial Moot
5. Red Cross Moot
6. Stetson India Rounds
7. Commonwealth Moot Court Competition
8. ICC International Mediation Competition
9. Clara Barton International Humanitarian Law Competition, Chicago, Illinois.
10. Oxford IPR Moot

National Challengers: Most of the contests in this Tier see participation from the top Indian Law Schools. A large number of them have also carved a niche for themselves in the national mooting scene. MCS-SLSN shall allot the following moots in the first Round.

Total number of moots in this tier:

1. Bar Council of India Inter-University Moot Court Competition
2. MC Chagla, GLC Mumbai
3. GNLU International Moot
4. KK Luthra Criminal Law Moot, Delhi
5. KLA Moot, Kerala
6. Nani Palkhiwala Tax Moot, GLC
7. NLS International Arbitration
8. NUJS Herbert Smith Corporate Moot
9. Surana Corporate Moot
10. Justice Hidayatullah Memorial Moot
11. NFCG-Nalsar Moot on Corporate Governance
12. Nalsar BR Sawhney Moot
13. NLUJ Antitrust Moot
14. NLU Delhi All India Corporate Moot
15. SP SATHE, ILS-Pune
16. B KRISHNA, SLS-PUNE
17. SURANA TRIAL ADVOCACY
18. IBAIL-JNU

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