

## **3<sup>rd</sup> NASCENT MOOT COURT COMPETITION, 2013**

### **RULES AND REGULATIONS**

#### **PRELIMINARY:**

The Moot Court Society of Symbiosis Law School, Noida is organizing **NASCENT Moot Court Competition** on **March 9<sup>th</sup>, 10<sup>th</sup> 2013** at the **Campus**. 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 [nascentmoot@symlaw.edu.in](mailto:nascentmoot@symlaw.edu.in) ;

- A.** 'NASCENT Moot Court Competition' (hereinafter 'NMCC') is 'Internal Elimination' round for the selection of contestants to represent SLS-NOIDA in the external moot court competitions.
- B.** 'External Moot Court Competitions' (hereinafter 'EMCC') 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-IV (hereinafter C-IV) means group of students, selected out of all the candidates / participants / contestants of NMCC.
- D.** Only selected candidates of the 'C-IV' will be given an opportunity to represent SLS-NOIDA in 'EMCC' during March 2013 – April 2014.
- E.** There is only a selection of 10 teams consisting 30 members {20 Pleaders and 10 Researchers} in 'C-IV', deficiency in meeting minimum standards of selection by the participants may shorten the total members in 'C-IV'.

#### **GENERAL RULES:**

##### **1. PARTICIPATION:**

- 1.1. 'NMCC' is open to all the students of BBA/BA.LL.B (Batch: 2012-17).
- 1.2. The participation in 'NMCC' is purely voluntary; means there is no compulsion on the learners of the subjective batch to undergo this moot round mandatorily beyond their choice.
- 1.3. There is only one participation of one contestant in any one team as its member, therefore, if the name of anybody is found in more than one team, the last received 'NMCC' REGISTRATION FORM will be valid for the individual and team, so, the earlier 'NMCC' REGISTRATION FORM be disbanded/disqualified for participation, the remaining member shall make a new team within the notified time as per notification and schedule.

##### **2. REGISTRATION:**

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

- 2.1. Download the 'NASCENT MOOT REGISTRATION FORM' (hereinafter NMRF).
- 2.2. Fill all the columns of your NMRF, each member of a team must personally sign on their NMRF at the space provided for the same, and self-attest his photograph pasted thereof.
- 2.3. Scan the duly filled NMRF in PDF, name the scan page as 'NMRF'.

- 2.4. Attach your (filled + signed + scanned) 'NMRF' in the mail attachment. The SUBJECT of the mail should be 'NMRF'. The body of the 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 may send the same to [nascentmoot@symlaw.edu.in](mailto:nascentmoot@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 the team code within next 24 hrs of receiving your 'NMRF', if you don't get response from us within the stipulated time, kindly check your mail, send us a reminder mail, even then if you do not get the response, then repeat the registration procedure until finally confirmed.

### 3. TIME:

- 3.1. A student may register for the 'NMCC' 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 compliance with the registration formalities or partially complying after the expiry of the scheduled dates of registration, **SHALL 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 'NMCC', a team can withdraw its participation before the last date of registration is over, as per the schedule and 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 **Feb. 9<sup>th</sup>, 2013** to [nascentmoot@symlaw.edu.in](mailto:nascentmoot@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 'NMCC', thereafter, no claim should subsist for him. There is no provision for any extenuating circumstances.
- 5.2. Travel, internship, health and climate are never been our considerations, these are to be taken care by the contestants themselves.
- 5.3. The left over member will participate and contest as a 'SOLE-COUNSEL', whatever points/marks she/he scores, shall be counted in principle on individual basis only, but, she/he even if scores, shall not be in the main list, may only be in the waiting list if found meritorious.

### 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 only.

- 6.2. The judge would be marking each team and member jointly and severally, contestants will be selected as individuals for 'C-IV'.
- 6.3. The MCS will form new teams from 'C-IV' of 'NMCC' based on its own strictures for sending the teams for 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 'NMCC'.
- 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.
- 7.4. Participants should take note of the rules; 'C-IV' should not raise the issue of exemption further during their preparation for the 'EMCC'.

**8. RESEARCHERS:**

- 8.1. There is no researcher test in the 'NMCC' for the selection of researchers in 'C-IV'.
- 8.2. Researchers shall be selected based on their 'Memorial Marks'. So if a contestant found in both pleader and researcher lists, he/she shall be preferred as a pleader, serially next meritorious shall be given chance to be in the researcher list.

**9. SELECTION:**

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

**10. SCHEDULE:** The in 'NMCC' problem, applicable rules and schedule are attached herewith.

SYMBIOSIS LAW SCHOOL, NOIDA		
MOOT COURT SOCIETY		
3 <sup>rd</sup> NASCENT MOOT COURT COMPETITION, 2013		
SCHEDULE		
<u>S.N.</u>	<u>Particulars</u>	<u>Dates &amp; Deadlines</u>
1	Release of Notification and Schedule	Jan. 15 Tuesday, 2013
2	Release of Moot Problem and Rules	<b>Jan 17 Thursday, 2013</b>
3	<b>Last date of Team Registration : Only by e-mail</b>	<b>Jan. 31<sup>st</sup> Thursday, 2013, 00:00 hrs IST</b>
4	Clarifications of doubts : online only (Last date)	<b>Jan. 31<sup>st</sup> Thursday, 2013, 00:00 hrs IST</b>
5	Submission of Memorials : (Soft Copy)	<b>Feb. 28 Thursday, 2013 00:00 hrs IST</b>
6	Submission of Memorials : (Spiral bound)	<b>Pleading Day</b>
7	<b>Moot Pleading Rounds</b>	<b>March 9<sup>th</sup>, 10<sup>th</sup> 2013, 08:00 hrs IST</b>
8	Declaration of Result	March 16 <sup>th</sup> Saturday, 2013
9	Submission of Undertaking (of Selected contingent)	March 23 <sup>rd</sup> Saturday, 2013
10	Declaration of SLS-Noida Moot Teams (Session August 2012 – July 2013)	March 30 <sup>th</sup> Saturday, 2013

### **11. SAVINGS:**

- 11.1. Keeping in view the rules laid in the PRELIMINARY. Anybody who has not participated or participated but not was selected in/through 'NMCC' for 'C-IV' is not part of MCS for mooting for the academic year March 2013 - April 2014.
- 11.2. 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.
- 11.3. Any moot court competition which is not in the participation list of MCS of SLS-NOIDA cannot be participated 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 purpose.
- 11.4. 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 etc. unless by the express / special permission in compliance with all the rules specially laid down / notified for the purpose.

### **ORAL ROUND:**

#### **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 before the bench. There will be no exchange of memorials of the opponent.

#### **2. TIME DURATION:**

- 2.1. In the oral rounds each team shall speak for a period of not more than 20 minutes, 10 minutes are saved for rebuttal and sur-rebuttal.
- 2.2. 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.
- 2.3. 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.
- 2.4. The time allotted must be taken care by the pleader; otherwise, bench may take overtime in negative.

#### **3. STANDARDS:**

All the standard moot court mannerism must be followed as per national level competition, keeping in view the subjective law. It cannot be explained, being a matter of evaluation.

#### **4. DRESS CODE:**

- 4.1. 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 to appear in the 'NMCC'.
- 4.2. The dress code is applicable on all the pleading teams.

**5. SCOUTING:**

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.

**6. EVALUATION OF ORAL ROUNDS:**

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

Sr. No.	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

**MEMORIALS:**

**SUBMISSION OF MEMORIALS:**

Each team must prepare memorials for both sides (Plaintiff & Respondent).

**1. 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 'NMCC'.

**2. SUBMISSION FORMAT:**

The soft as well as hard copy submission/printing shall be in the PDF format only.

**3. 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 [nascentmoot@symlaw.edu.in](mailto:nascentmoot@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 'NASCENT MOOT MEMORIALS', the memorials shall be attached as 'PLAINTIFF' & 'RESPONDANT', the text should be addressed to the MCS, sender 'TEAM CODE' only.
- 4.3. Delay of each-day in mailing the memorials will invite deduction of 5 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 sending your 'NASCENT MOOT MEMORIALS' to us, we will acknowledge you the receipt of Memorials, if you don't get response from us within 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.
- 4.7. We will not take into account any incident such as 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. HARD COPY SUBMISSION:**

- 5.1. Each team must submit **3 copies** (spiral bound only) of the memorial for the Plaintiff and the Respondent as mentioned in the schedule and announced herewith, at your respective courtroom @ 08:00 am on the day of you pleading.
- 5.2. Delay of every hour in submitting the memorials will invite deduction of 5 marks from both sides of the memorials of the team.
- 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 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. It is the responsibility of team to ensure that correct numlog of copies of memorials have to be submitted to the Office of the MCS and acknowledgement received.
- 5.6. Once the soft copy of the memorials has been submitted as per schedule, no revisions or additions will be allowed at the time of hard copy submissions. Even formatting, change of colour, spacing, font type/size etc. are tantamount to change in the script, shall attract penalty.
- 5.7. 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, in-sufficient print out facility at campus computer lab etc. as grounds of extension of time or delayed submission or extension of time etc. in any case, we will not bend the rule for any one or for all.

#### **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 of memorial submissions (Soft as well as hard copy).

#### **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 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.
  - The foot notes should be a Times New Roman Size - 10, spacing 1.5.
  - Memorial must have 1 inch margin on all sides of the each page.
  - Relevant annexure may be kept as compendium if required.

**8. EVALUATION OF MEMORIAL:**

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

<b>S. N.</b>	<b>Marking Criteria</b>	<b>Marks allotted</b>
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

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