



RULES AND FORMAT

2nd NLIU- JUSTICE R.K. TANKHA MEMORIAL INTERNATIONAL MOOT COURT
COMPETITION, 2017

NATIONAL LAW INSTITUTE UNIVERSITY, BHOPAL



ORGANISED BY THE MOOT COURT ASSOCIATION OF
THE NATIONAL LAW INSTITUTE UNIVERSITY, BHOPAL
IN ASSOCIATION WITH THE OFFICE OF SENIOR ADVOCATE, MR.
VIVEK TANKHA

I. DEFINITIONS

‘Administrator(s)’ means the Moot Court Association of the National Law Institute University, Bhopal, members thereof, or any person/persons appointed to administer the Competition by the said Moot Court Society.

‘Advanced Round’ means the Final Round, Semi-Final Round, Quarter-Final Round or Pre-Quarter Final Round (subject to organisers’ discretion) of the Competition.

‘Bench Memorandum’ means the memorandum of law, issues and authorities concerning the competition problem prepared by the Authors/Administrator.

‘Claimant’ means the side that argues on behalf of the Claimant.

‘Competition’ means the 2nd NLIU-Justice R.K Tankha Memorial International Moot Court Competition, 2017.

‘Memorial’ means the written submissions of each team, submitted according to these Rules.

‘Preliminary Rounds’ means any round which is not an Advanced Round.

‘Problem’ means the Problem of the Competition released by the Administrator.

‘Respondent’ means the side that argues on behalf of the Respondent.

II. INTERPRETATION

The interpretation placed upon these Rules by the Administrators shall be conclusive. The decision of the Administrators regarding the application of these Rules shall be final. In case of any dispute, the decision of the Administrators shall be final.

III. PARTICIPATION AND ELIGIBILITY

All law schools, faculties of law and other institutions offering a law-related degree program are eligible to participate in the Competition. Each participating institution shall send only one Team to the Competition. Team members must be bona fide students of the institution they are representing.

A Team can have a minimum of two members and a maximum of three members. Each team must have a minimum of two Speakers. Each team must specify the two team members who would be speaking in a round, prior to the commencement of that particular round. A Speaker

would be eligible for the individual speaker prizes only if he/she has presented oral arguments on behalf of the Claimant and the Respondent at least once during the Preliminary Rounds.

Once registered, a Team shall not be permitted to vary the composition of the team in any manner. Changes, if any, may only be made with the express permission of the Administrators (at their discretion), if a substantial reason is shown for such variation.

The Administrators reserve the right to debar any team from participating in the Moot.

IV. ASSISTANCE TO TEAMS FROM NON-MEMBERS AND/OR EXTERNAL SOURCES

Every Team must research and write its Memorial without the assistance of non-members. Teams may receive general advice from Faculty Advisors and/or Coaches. However, such advice must be limited to general advice on the area of law concerned, structure of arguments and general commentary on the Team's arguments. No advice whatsoever may be taken from any member of another Team or any Coach/Faculty Advisor of another Team.

The Bench Memorandum shall be confidential at all times. Any Team found making use of the Bench Memorandum shall be disqualified. In preparing its Memorials, no Team may incorporate arguments or other information from the Memorials of other Teams.

V. REGISTRATION

Each Team must register for the Moot by completing the Registration Form before **20th January 2017**. For national teams, the Registration Fee for the Moot is to be paid through a Demand Draft in the name of **'The Director, National Law Institute University, Bhopal'** payable at **Bhopal**. International Teams are required to wire transfer the amount to the following Bank Account:

- Account Number – 062510005192
- IFSC Code – BKDN0810625
- Bank – Dena Bank
- Branch – TT Nagar

Teams are required to email a scanned copy of the Demand Draft, Travel form, Registration Form upon transfer of fees to tankha.nliu@gmail.com latest by 20th January 2017. Registration fee for the moot is Rs.1000 per team. The teams must carry the hard copy of the Demand draft and submit the same upon arrival for the competition.

VI. TRANSPORT AND ACCOMODATION

Accommodation will be provided to all the teams. For any additional members of any team the host university will not be responsible for his/her accommodation. Accommodation will be provided from 17th February, 2017 till 20th February, 2017. Teams arriving before 17th and staying after 20th will have to arrange for their accommodation themselves.

Conveyance will be provided to all the teams from the Station/Airport on their arrival to the accommodation. Please note that this will only be done from 6:00 a.m., 17th February 2016, onwards. Additionally, no pick-up can be provided to any team which arrives between 11:00 p.m.– 6:00 a.m. So teams are advised to plan their travel accordingly. Conveyance will be provided to all the teams to and from the university to the accommodation. No conveyance shall be provided under any circumstance for dropping any team to the Station/Airport. Teams must send scanned copies of their travel plans along with the registration form.

Food for all the days of the competition will be provided to all the teams.

VII. CLARIFICATIONS TO THE PROBLEM

All requests for clarifications to the Problem must be emailed to tankha.nliu@gmail.com by the 05th January, 2017. The clarifications will be released by 10th January, 2017.

VIII. ANONYMITY OF TEAMS

Teams must not reveal their university, or country of origin, or names of the participants, anywhere in the Memorial or in the course of the Oral arguments. Teams must also not make use of or display in any manner whatsoever any logo, pins, badges etc. in the Memorials or during the course of the oral arguments. A Team must be identified only by the Team Number that shall be allotted to it, a few days before the submission of the memorial.

Violation of the above rule at any point will lead to automatic disqualification. However, Speakers may refer to themselves and other Speakers in an oral round by their respective names.

IX. MEMORIALS

Each participating Team must prepare one Claimant Memorial and one Respondent Memorial. All Memorials must be in English, and must be printed single-side on A4 size sheets, with equal margins of at least one inch on all sides.

The text font for the main body must be **Times New Roman, size 12, with 1.5 line spacing**. The text font for the footnotes must be **Times New Roman, size 12, with 1.0 line spacing**. Character spacing should not be condensed in any manner.

The Memorial must contain *all* of, and *only*, the following components:

- a) *Cover page;*
- b) *Table of Contents;*
- c) *Table of Abbreviations;*
- d) *Index of Authorities;*
- e) *Statement of Jurisdiction;*
- f) *Statement of Facts;*
- g) *Issues Raised;*
- h) *Summary of Arguments;*
- i) *Arguments Advanced/Pleadings;*
- j) *Prayer.*

The Cover Page must be printed on blue paper for the each Claimant memorial, and Red paper for each Respondent memorial. The Cover Page of each memorial must contain the following information:

The Team Registration code in the upper right-hand corner, followed by an “A” for the Claimant Memorial, or an “R” for the Respondent Memorial. For example, Team 26 would put the code “26A” in the upper right-hand corner of its Claimant Memorial;

- a) The name of the forum before which the proceedings are being conducted;
- b) The year of the Competition;
- c) The name of the case;

d) The title of the memorial (either “Memorial for Claimant” or “Memorial for Respondent”).

The Index of Authorities must list all the authorities cited in the Memorial. The Index must indicate the page number(s) and/or the paragraph number(s) of the Memorial in which the authority is cited.

The Statement of Facts must contain a concise statement of the relevant facts of the dispute. As far as may be, the Statement of Facts should be limited to the stipulated facts and legitimate inferences which can be drawn from those facts.

The Summary of Pleadings should contain a summary of the substance of the arguments, and should not be a mere reproduction of the various headings and sub-headings of arguments. The length of the Summary of Pleadings should not exceed **1500 words**.

All legal arguments must be limited to the Pleadings/Arguments Advanced section of the Memorial.

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The Pleadings/Arguments Advanced and Prayer must not exceed **15 pages**.

Footnotes may not include any substantive pleadings, examples or any text other than the citation itself. Substantive footnoting is strictly prohibited. A consistent format of citations must be followed.

The Memorials must be emailed in MS Word format and PDF format to tankha.nliu@gmail.com by 11:59 pm IST (Indian Standard Time) on the 08th of February, 2017. For every hour of delay in memorial submission from the prescribed time of submission, one mark shall be deducted. Any memorial submitted 12 hours after the time prescribed above will not be accepted.

Note: The above deduction would apply even if the delay were not of a complete hour. Hence, for example, a Memorial submitted at 12:01 am would still be subject to a 1 mark deduction. It is hereby clarified that teams which fail to submit Memorials within the deadline specified, i.e. within 12 hours from the prescribed time of memorial submission, would automatically be disqualified from the competition.

Teams are required to submit six printed copies of the Claimant and Respondent memorials each when they arrive for the competition.

X. ORAL ARGUMENTS

Each Oral Round shall, subject to the discretion of the Judges, consist of sixty (60) minutes of argument, which shall be presented in English. The Claimant and the Respondent shall be allotted thirty (30) minutes each, subject to the discretion of the Judges. Both members designated as Speakers from each Team shall make oral presentations in each round. Provided that judges in so exercising their discretion, shall allot equal time to both teams.

Each team shall distribute its allocated thirty (30) minutes between:

- i. the 2 speakers designated for that round and*
- ii. the rebuttal/sur-rebuttal, as the case may be.*

Each Speaker must be allocated a minimum of ten minutes (10), not including the time for rebuttal/sur-rebuttal. The rebuttal/sur-rebuttal must be allocated a minimum of two (2) minutes, and a maximum of six (6) minutes. The rebuttal/sur-rebuttal must be presented by one speaker only.

In the Advanced Rounds, the total time permitted to each team for presenting arguments may be extended to forty-five (45) minutes at the discretion of the Administrators, with corresponding changes in the minimum time prescribed for each speaker.

Each Preliminary Round shall be judged by a bench of two judges. The Advanced Rounds may be judged by a bench of three or more judges.

XI. COMPETITION FORMAT & PROCEDURE

The Competition shall consist of Preliminary Rounds and Advanced Rounds. Each team shall argue in 2 Preliminary Rounds: once as Claimant and once as Respondent. The Advanced Rounds shall, unless otherwise specified, consist of three knock-out rounds – the Quarter-Finals, Semi-Finals and the Final. The decision to hold Octa-Final rounds will be taken after assessing the number of the registered teams.

The top eight (8) ranking teams after considering the Preliminary Rounds will qualify for the Advanced Rounds. Teams shall be ranked according to the following criteria:

First, Teams with a better win-loss record in the Preliminary Rounds;

Explanation: In case two teams have equal number of wins, the team with a lower number of losses would have the better win-loss record.

Illustration: Team A has 1 win and 1 loss, whereas Team B has 1 win and 1 draw. Here, Team B has a better win-loss record.

Second, in case two Teams have the same win-loss record, the tie will be broken in favour of the Team which has higher speaker scores.

Third, in the unexpected circumstance that the tie still persists, it shall be decided by a coin toss.

Teams, their members, or any person associated with a team, are not permitted to be present at, or hear, or in any way observe, a round in which that team is not participating. This rule will not apply to those teams or persons associated with teams which have been eliminated from the competition, and who are desirous of attending any of the Advanced Rounds thereafter. Scouting in any form shall entail disqualification of the team.

XII. AWARDS AND PRIZE MONEY

The awards and the prize money are as follows:

- Winning Team Award: The winning team will receive a trophy and a prize of Rs. 1,10,000.
- Runners - up Award: The 1st runners up will get a trophy and a prize of Rs. 50,000.
- Best Oralist: The best oralist in the preliminary round will get trophy and prize of Rs. 30,000.
- Best Memorial-Claimant: The team with best Claimant memorial will receive trophy and a prize of Rs. 15,000.
- Best Memorial-Respondent: The team with best Respondent memorial will receive trophy and a prize of Rs. 15,000.
- Best International Team: The Best participating team from outside India will receive a trophy and a prize of Rs. 30,000. The scores of the Preliminary Rounds will be taken into account to decide this prize.

XIII. CLARIFICATIONS

Clarifications regarding anything must preferably be sought by sending an email to tankha.nliu@gmail.com. Teams can also contact the following persons with their clarifications:

- Mr. Gaurav Sharma, Convenor, Moot Court Association, Ph. +91-96447-51674.
- Ms. Madhura Khandekar, Co-Convenor, Moot Court Association, Ph. +91-88713-27392.