



**FOURTH
PROF. N. R. MADHAVA MENON SAARCLAW MOOTING
COMPETITION - INDIA ROUND 2018-19**

26th to 28th October, 2018

RULES & REGULATIONS

Organized by :

LLOYD LAW COLLEGE

GREATER NOIDA (U.P.)

with technical support from

MILAT

MENON INSTITUTE OF LEGAL ADVOCACY & TRAINING

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SOCIETY OF INDIAN LAW FIRMS



**RULES AND REGULATIONS OF INDIA ROUND
OF FOURTH PROF. N. R. MADHAVA MENON
SAARCLAW MOOTING COMPETITION, 2017-18**

ARTICLE 1: Objective of the competition

1. The Fourth Prof. N. R. Madhava Menon SAARCLAW Mooting Competition, 2018-19 aims at honing legal advocacy skills among law students of SAARC countries.
2. The Fourth Prof. N. R. Madhava Menon SAARCLAW Mooting Competition, 2018-19 shall consist of two stages:- the India Round and the SAARC Round; both to be held at Lloyd Law College, Greater Noida, India.
3. The India Round shall be held from 26th to 28th October, 2018.
4. The SAARC Round comprising of participants from SAARC Countries i.e., India, Pakistan, Sri Lanka, Nepal, Bangladesh, Bhutan, Afghanistan and Maldives shall be held from 15th to 18th February, 2019.
5. Only Top Five Teams from the India Round shall qualify to represent India in the SAARC Round.

ARTICLE 2: The India Round

1. The India Round will be held at Lloyd Law College, Greater Noida from 26th to 28th October, 2018 among student teams from the Top Law Schools/Colleges/Universities imparting legal education in India, provided that no Institution shall send more than one team to compete in the India Round.
2. The India Round will comprise of Two Stages, i.e., arguments from both sides (Petitioner and Respondent).
3. The Top Five Scoring Teams in the India Round will qualify for the SAARC Round to represent India.
4. Each participating team in the India Round shall argue the case from both the petitioner and the respondent sides in Two Stages respectively and in one round only. No derogation from this rule is permissible.
5. There shall be a Committee of Judges for each court selected from a Panel of Judges constituted for that purpose.

ARTICLE 3: Team Composition and Eligibility

1. Each team shall consist of Two Counsels and Two Researchers in the India Round. Each of whom:-

- i Must be born on or after 1st January, 1989; and
 - ii On the 26th October, 2018 is a bona-fide undergraduate law student (for the year 2018-2019 till June 2019) of the Three Year Program or Five Year Program from an institution duly recognized by the Bar Council of India; and
 - iii Has not been admitted to the practice of law in any jurisdiction.
2. Each college or institution shall send only one team of such eligible participants.
 3. In no case any team shall consist of more than four participants, that is, Two (2) Mooters and Two (2) Researchers. Their number cannot be increased under any circumstances.
 4. The traveling expenses of the participants shall be met by their respective institution or participants themselves.

ARTICLE 4: Registration

1. The registration fee for the India Round is Rs. 3,500/-.
2. All teams participating in the India Round shall register themselves through payment of the registration fee either by E-Transfer (NEFT) or Demand Draft and subsequent e-mail of soft copy of registration form and proof of payment, to profmenonmooting@lloydlawcollege.edu.in.
3. The hard copy of Demand Draft shall be submitted through post to the Organizing Committee, Fourth Prof. N. R. Madhava Menon SAARCLAW Mooting Competition & Law Students' Conference 2017-18, Lloyd Law College, Plot No. 11, Knowledge Park- II Greater Noida- 201306, Delhi/NCR.
4. No subsequent change in the team composition shall be permitted.
5. E-transfer of the registration fee can be done using NEFT, in favor of-
"LLOYD LAW COLLEGE",
Account number- 3976002100005500,
Bank- Punjab National Bank Branch- Sarita Vihar, New Delhi
ISFC Code- PUNB0397600
6. The demand draft of Rs. 3,500/- shall be drawn in favor of "LLOYD LAW COLLEGE", GREATER NOIDA, and shall be payable at GREATER NOIDA.
7. Formal registration of the teams shall be done on 26th October, 2018 at the venue of the competition from 03:00 P.M.
8. Registration forms/demand draft/e-transfer received after deadlines shall in no case be considered for registration.

ARTICLE 5: The Moot Proposition

1. The moot proposition for the India Round can be downloaded from <http://saarcmooting.lloydlawcollege.edu.in/>
2. All queries and clarifications for the moot problem shall be sent via e-mail to profmenonmooting@lloydlawcollege.edu.in
3. No queries and clarifications for the moot problem shall be entertained after 10th October, 2018.
4. Clarifications on the moot problem will be declared on <http://saarcmooting.lloydlawcollege.edu.in/> by 13th October, 2018 for everyone's perusal without disclosure of the identity of the teams.

ARTICLE 6: Memorials

1. Each team shall submit soft copies of the memorials (in PDF only) to the Organizing Committee, Fourth Prof. N. R. Madhava Menon SAARCLAW Mooting Competition & Law Students' Conference 2018-19, Lloyd Law College, on or before 16th October, 2018 via e-mail to profmenonmooting@lloydlawcollege.edu.in by 11:59 P.M. IST.
2. Each team shall also submit five (5) hard copies of memorials to the Organizing Committee, Fourth Prof. N. R. Madhava Menon SAARCLAW Mooting Competition 2018-19 at Lloyd Law College, Greater Noida on 26th October, 2018 at the time of formal registration.
3. Memorials must be submitted on the Standard International A/4 size page in Font Type: Times New Roman, Font Size: 12, Double Spacing. The Font Style of the Footnote should also be Times New Roman, Font Size: 10 and should be single spaced. Quotations from sources outside of the memorial of Fifty (50) words or more in any part of the memorial shall be block quoted (i.e., right and left indented) and must be single spaced.
4. The citation should be in compliance with the 20th edition of Bluebook. Speaking footnotes or endnotes are not allowed.
5. No indication shall be made for identifying the Institution/College/University of the participant. Each team will be awarded a TEAM CODE which shall be the identity of the team during the competition. This TEAM CODE shall be marked on the title page of memorials.
6. The petitioner and respondent memorials must be differentiated by 'Blue Cover' and 'Red Cover' respectively.
7. Memorials for both sides should contain the following:
 - a) Title Page

- b) Table of Contents
- c) Index of Authorities
- d) Statement of Jurisdiction
- e) Statement of Facts
- f) Summary of Arguments/Pleadings
- g) Arguments supported by Authorities
- h) Conclusion/Prayer

The Title Page shall include:

- a) The name of the Court
 - b) The year of the Competition
 - c) The Name of the Case
 - d) The Title of the Document (i.e., “Memorial for the Respondent” or “Memorial for the Petitioner”)
 - e) TEAM CODE
8. The memorial shall not exceed more than Thirty (30) pages. The following contents are inclusive within the stipulated page limit:
- a) Pleadings
 - b) Conclusions
 - c) Annexure, if any
 - d) Appendices and footnotes

Any issue or pleading, not discussed within the above mentioned contents of the memorial shall not be included in any other section of the memorial.

The following shall not be included in the limit of Thirty (30) pages set out for the Memorial:

- a) Title of Page
- b) Table of Contents
- c) Index of Authorities
- d) Statement of Jurisdiction

- e) Statement of Facts
 - f) Issues Presented
 - g) Summary of Pleadings
9. Statement of Facts: The Statement of the Facts shall be limited to the facts as stipulated as well as to the necessary inferences drawn from the proposition. The statement of facts must not include unsupported facts, distortions of stated facts, argumentative statements, or legal conclusions. An excessive statement of facts shall be a 'Non- Discretionary Memorial Penalty', but such violation may be taken into account by the judges while evaluating the written submission.
 10. Summary of Pleadings: The Summary of the Pleadings shall consist of a substantive summary of the “Pleadings”, rather than a simple reproduction of the headings contained in the Pleadings Section. An excessive Summary of Pleadings shall be a Non-Discretionary Memorial Penalty, while a Summary of Pleadings which is otherwise improper shall not be subjected to a Memorial Penalty, but such violation may be taken into account by the judges while evaluating the written submission.
 11. The teams are to submit authorities supporting their contentions referred to in the memorials at the time of oral presentation but at no stage are they allowed to supplement the memorial in the form of an annexure, compilation etc. which may otherwise amount to exceeding page limit of the memorial.

ARTICLE 7: Assessment of the Memorials

The memorials shall be assessed by a Committee of Judges and every memorial will be marked out of total Hundred (100) marks and the Team Memorial will have the average total of both the sides (Petitioner/Respondent). The Marking Criteria and the Marks Allocated to each Category have been listed below:

Evaluation Criteria		
1	Knowledge of facts and law	Maximum: 20 pts
2	Proper and articulate analysis	Maximum: 20 pts
3	Extent and use of research	Maximum: 20 pts
4	Clarity & Organization	Maximum: 20 pts
5	Citation of sources	Maximum: 10 pts
6	Grammar and Style	Maximum: 10 pts

ARTICLE 8: Oral Presentations

1. Each Oral Round shall consist of Ninety (90) minutes of oral pleadings. Each team Petitioner/Respondent shall be allotted Forty Five (45) minutes.
2. Two (2) members from each team shall make oral presentations during the round. Prior to the beginning of the Oral Round, each team shall indicate to the bailiff as to how it wishes to allocate its 45 minutes among:
 - a) Its First Oralist,
 - b) Its Second Oralist, and
 - c) Rebuttal (for the Petitioner) or Sur-Rebuttal (for the Respondent).
3. No single oralist shall plead for more than Thirty (30) minutes, including Rebuttal or Sur-Rebuttal.

Any team member may act as an oralist during any round of the competition. In exceptional circumstances, the Bench shall have the discretion to permit a single oralist to argue beyond Thirty (30) minutes limit.

4. The order of the pleadings in each Round at all levels of the Competition shall be:

Petitioner 1 ⇨ **Petitioner 2** ⇨ **Respondent 1** ⇨ **Respondent 2** ⇨
Rebuttal (Petitioner 1 or 2) ⇨ **Sur-rebuttal (Respondent 1 or 2)**

5. Each team may reserve up to Fifteen (15) minutes of Rebuttal or Sur-rebuttal. As a gesture of courtesy to the judges, the participating teams should announce whether they intend to reserve any time for Rebuttal or Sur-rebuttal at the beginning of their oral arguments and how much time they intend to reserve. Failure to announce it will not waive the right to Rebuttal or Sur-rebuttal. Only one Team member may deliver the Rebuttal or Sur-rebuttal. Although the team member delivering Rebuttal or Sur-rebuttal must be one of the two team members who argued during the team's main argument, the team need not indicate prior to Rebuttal or Sur-rebuttal which of its two eligible members will offer Rebuttal or Sur-rebuttal.
6. A team's oral pleadings shall not in any way be limited to the scope of the team's memorial. The scope of the Petitioner's rebuttal shall be limited to responding to the Respondent's primary oral pleadings, and the scope of the Respondent's Sur-rebuttal shall be limited to responding to the Petitioner's rebuttal. If the Petitioner waives the rebuttal, there shall be no Sur-rebuttal. No legal issues which were not addressed in the primary pleadings may be raised in the rebuttal or Sur-rebuttal.

ARTICLE 9: Marking Criteria for the Oral Presentations

1. The judges would assign marks to each individual speaker out of Hundred (100) marks. The team score would be the aggregate of the total marks for oral presentations of the 2 speakers. The following shall be the Marking Criteria and the Marks allocated to each category:

Oral Presentation Evaluation Criteria

		Excellent	Very Good	Good	Adequate	Poor
1	Knowledge of Law (30)	27-30 pts.	24-27 pts.	21-24 pts.	19-21 pts.	15-19 pts.
2	Application of Law to Facts(25)	23-25 pts.	21-23 pts.	19-21 pts.	16-19 pts.	15-16 pts.
3	Ingenuity and Ability to Answer Questions(30)	27-30 pts.	24-27 pts.	21-24 pts.	19-21 pts.	15-19 pts.
4	Style Poise, Courtesy and Demeanour	09-10 pts.	08-09 pts.	07-08 pts.	05-07 pts.	04-05 pts.
5	Time Management and Organization	05 pts.	04 pts.	03 pts.	03 pts.	01 pts.

ARTICLE 10: Dispute

1. Any dispute about the Moot Court Competition shall be referred to the Dispute Resolution Committee, comprising of the Chairperson, Member Secretary, and the two Members before the end of the competition. In all matters of complaints or disputes, the decision of the Dispute Resolution Committee shall be final.

ARTICLE 11: Code of Conduct

1. The language for the Moot Court Competition shall be English.
2. All participants are expected to maintain the decorum in the Court during the competition and are expected to conduct themselves in a manner befitting the legal profession.
3. Scouting: Speakers, a reserve or persons affiliated with the team, will not be permitted to hear the arguments in any court room in which the team is not one of the contesting teams whilst the team is still in the competition.

ARTICLE 12: Awards for India Round

1. The Top Five Scoring teams in the India Round shall qualify for participation in the SAARC Round of the Fourth Prof. N. R. Madhava Menon SAARCLAW Mooting Competition and Law Students' Conference 2018-19, to be held among SAARC countries from 15th to 18th February, 2019 at Lloyd Law College, Greater Noida, India.
2. The Top Five Scoring Teams shall be awarded with certificates of qualification to the SAARC Round.

3. The two Best Law Student Awardees will be chosen from the top five teams selected at the India Round of the Fourth Prof. N. R. Madhava Menon SAARCLAW Mooting Competition. From the top five teams so selected, an empowered jury (constituted under an MOU between SILF-MILAT and Penn State University Law School) will select two (one female and one male) students provided they are the final year law students. The law schools participating are to note that though they are free to choose their teams from any of the LL.B. classes, only those who are completing LL.B. Degree in 2019 and finding a place in the top five teams in the India Round of the Fourth Prof. N. R. Madhava Menon SAARCLAW Mooting Competition will be shortlisted for the consideration by Jury to select the Best Law Student of the Year Award to receive the fellowship of \$50000 from Penn State School of Law to pursue LLM from Pennsylvania State University, School of Law, USA *(For the purpose of clarification, it is to be noted that oralists and researchers will be considered for the selection of the Best Law students Award and Fellowship. However, the top five teams' oralists should remain as oralists and the researchers should remain as participants in the students' conference, 2019 to present papers in the SAARC Round. No deviation from this rule shall be permitted).*
4. There will be Best Memorial Award and Second Best Memorial Award.

ARTICLE 13: Accommodation

The team of Four (4) participants shall be provided accommodation by Lloyd Law College for the duration of the competition only.

However, the interested students are required to inform the Organizing Committee, through their Registration Form, so as to enable the Committee to make necessary arrangements.

ARTICLE 14: General Section

1. The duration of each court shall not exceed one hour and thirty minutes.
2. Depending upon the number of participating teams, the competition may be held in two or more stages - however it shall comprise only one round, i.e., Elimination Round.
3. The number of qualifying teams for the SAARC Round may be increased or decreased (not less than five in any case) subject to the number of participating teams.
4. Team numbers and the side to be represented (petitioner/respondent) shall be decided by draw of lots at different Stages during the competition. The scheme

of competition thus drawn out shall be notified to the participating teams.

5. The Organizers reserve the right to make any necessary alterations in respect to the side to be taken by the competing teams, in case it becomes absolutely necessary due to withdrawal of any team/teams at the last minute, or if the competing teams had no opportunity to argue the other side of the problem.
6. Each team is expected to be ready with written briefs and oral arguments to argue from either side of the case. The court will follow its own procedure within the accepted norms and judicial practice, and in case of doubt or dispute in the matter of procedure or facts, the decision of the Presiding Member of the Committee of Judges of each Court shall be final.

ANNEXURE ON DISQUALIFICATION AND PENALTY

ARTICLE A1: Aims

1. The present Annexure on Disqualifications and Penalties forms an integral part of the Official Rules of the Fourth Prof. N. R. Madhava Menon SAARCLAW Competition, 2018-19 (India Round).
2. The aim of the Annexure on Disqualifications and Penalties is to ensure a fair and objective contest in the Fourth Prof. N. R. Madhava Menon SAARCLAW Competition, 2018-19 (India Round) by providing guidelines for ensuring compliance with the relevant provisions of the Official Rules.

ARTICLE A2: Unfair Means, Intimidation and Misconduct

1. Cheating or using of unfair means of any kind is strictly prohibited and if indulged in, shall result in disqualification of the team.
2. Intimidation in any form is prohibited and if indulged in, shall result in disqualification of the team.
3. Misconduct, whether behavioral or otherwise, is not allowed and if indulged in, shall result in disqualification of the team.

ARTICLE A3: Court Manners (Oral Arguments)

1. Any form of communication between the Bar Table and any person other than those on the Bench is prohibited, and if indulged in, will result in a penalty point.
2. Submission of any written material other than the memorials and any other documents related to the proposition in hand to the Bench prior to, during or after oral arguments is not allowed and if indulged in, will result in a penalty point.
3. Failure to deliver an oral argument shall be considered in entirety, a disqualification.

4. It shall be the discretion of the Organizing Committee to decide on any violation of the provisions of Articles 6, 7 or 8 of the Rules and Regulations during the Round and whether that violation entails a penalty point. If a participating team, member of the Bench or the time keeper wishes to claim a violation of Articles 6, 7 or 8, the Bench shall inform the Organizing Committee of the claim made and shall not consider it as a part of their deliberations unless directed to do so by the Organizing Committee.

ARTICLE A4: Submission and Formatting of the Memorials

1. Delay in the submission of the memorials, use of incorrect font or font size, use of font of inconsistent size, or improper line spacing, failure to include all parts of the memorial, or inclusion of an unremunerated part, substantive legal argument outside of approved sections of memorial, improperly formatted index of authorities, excessive length, failure to include necessary information on the memorial cover, inclusion of any identifying mark, character or text in the memorial shall result in imposition of penalties.

ARTICLE A5: Dress Code

1. Strict adherence to the Dress Code is required. The teams are required to be properly attired for the Round. The participants are required to wear 'Black Trousers/ Skirts' and 'White Shirt', 'Black Blazers' and 'Black Neck Tie'.

ARTICLE A6: Non-compliance with the Rules of the Organizing Committee

1. The participants are required to comply with the rules formulated by the Organizing Committee at all times during the Fourth Prof. N. R. Madhava Menon SAARCLAW Competition, 2018-19 (India Round).
2. Total points collected by a team shall be reduced by the penalty points imposed for the violation of rules specified by the Organizing Committee for each round in which the violation took place.
3. Each penalty point shall be imposed for each violation. One penalty point imposed shall reduce one mark from the score of the team. However, the total number of penalty points awarded against one team shall not surpass 10 points.
4. If the number of penalties increases from Ten (10) in numbers, the team can be debarred from the competition. An opportunity of being heard by the Organizing Committee can be offered to the team on request. The Committee shall decide whether to debar that particular team from further participation in the competition or reduce the marks from the total score obtained by that team.



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