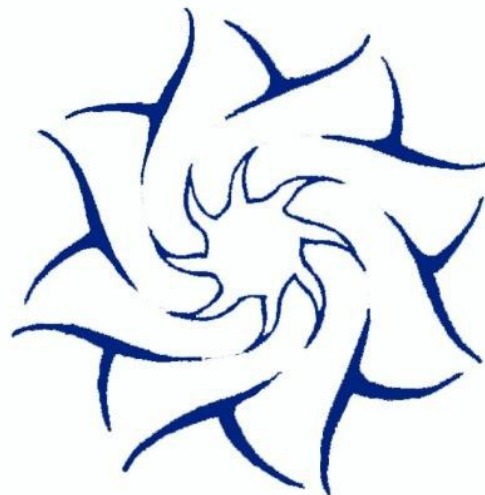


**16<sup>TH</sup> D.M. HARISH MEMORIAL GOVERNMENT LAW COLLEGE**

**INTERNATIONAL MOOT COURT COMPETITION**

**12<sup>TH</sup>-15<sup>TH</sup> FEBRUARY, 2015**

**RULES OF THE COMPETITION**



*HOSTED BY:*

**Government Law College**

*IN ASSOCIATION WITH:*

**D. M. HARISH FOUNDATION**

# RULES OF THE COMPETITION

## 1. Participation in the Competition

### 1.1 Registration

Overseas teams may participate in the Competition by making an application to the Organisers via e-mail to [dmh.glc@gmail.com](mailto:dmh.glc@gmail.com) or by availing of the Online Registration Form facility on the DMH website ([www.mcaglc.org/dmh.html](http://www.mcaglc.org/dmh.html)) or by post at the following address:

*The General Secretary  
Moot Court Association  
Government Law College  
'A' Road, Churchgate  
Mumbai – 400020  
India*

### 1.2 Invited Indian Teams

The organisers shall invite ONLY those Indian Universities/Colleges (refer to Annexure I) which had qualified to the Octo - Final Rounds in the 15<sup>th</sup> D. M. Harish Memorial Government Law College International Moot Court Competition to participate in the competition.

### 1.3 Participation in the Memorial Round

1.3.1 Indian Universities whose names are not included in Annexure 1 can participate in the Memorial Round. Two (2) additional Indian Universities/Colleges shall be selected from these to participate in the competition based on the Memorial submitted by them on or before **6 p.m. [Indian Standard Time] on 5<sup>th</sup> December, 2014**. More than two Indian Universities / Colleges may be selected at the sole discretion of the organisers. The Memorials submitted must be in accordance with clause 5.1.

1.3.2 The Indian Universities/Colleges applying through the Memorial Round must submit their Registration form by **10<sup>th</sup> November, 2014**.

1.3.3 Indian Universities/Colleges selected in accordance with Clause 1.3.1 shall be notified on **20<sup>th</sup> December, 2014** if they have been selected to participate in the Competition.

1.3.4 Teams selected in this manner shall have the opportunity to improve upon their submitted Memorials and submit a final soft copy for adjudication along with

the other teams on or before **2<sup>nd</sup> January, 2015** (11:59 p.m. IST) in accordance with Rule 5.

#### **1.4 Registration Fee**

1.4.1 A nominal registration fee of **INR 3500** shall be charged to all the Invited Indian Universities/Colleges and Indian Universities/Colleges that have been selected through the Memorial Round. A registration fee of **USD 100** will be charged to all the Overseas Universities.

**No registration fee shall be charged to Indian Universities/Colleges that have applied but have not been selected in accordance with clause 1.3.**

1.4.2 For the purpose of clause 1.4.1 Overseas Universities will include all Universities/Colleges/Schools that are not situated in India.

1.4.3 The Registration fee charged in accordance with clause 1.4.1 for Indian Universities/Colleges must be submitted by a Demand Draft/Bankers' Draft drawn in favour of "**D. M. Harish Foundation**" payable at "**Mumbai, India**".

1.4.4 The Registration fee charged in accordance with clause 1.4.1 for Overseas Universities/Colleges must be submitted by Wire Transfer, the details of which are given below:

**"D.M. Harish Foundation"**  
**IFSC: INDB0000001**  
**A/C No.: 100000216325**

## **2. General**

### **2.1 Eligibility**

Students enrolled in a full-time or part-time law programme at the time of the competition are eligible to compete in the Competition. Each College/Law School or University may enter one team ONLY.

### **2.2 Team Composition**

2.2.1. Each team shall comprise a minimum of two (2) members consisting of two (2) speakers and a maximum of three (3) members consisting of two (2) speakers and one (1) researcher.

2.2.2. Certification shall not be awarded to a fourth member.

### **2.3 Official Language**

The official language of the Competition is English. All Competition Rounds including the written submissions (memorials) will be in English.

## 2.4 Accommodation

2.4.1 Accommodation will be provided to all participants on the days of the competition **ONLY** i.e.; 12<sup>th</sup>, 13<sup>th</sup>, 14<sup>th</sup> and 15<sup>th</sup> of February, 2015.

2.4.2 Teams, which intend to arrive earlier, are requested to inform the organisers in advance so that requisite arrangements may be made for the same. Extra charges will have to be incurred by the team for additional days of stay.

2.4.3 Accommodation **shall not** be provided to a fourth member.

## 2.5 Registration

2.5.1 The duly completed Registration form with all team details must be submitted online or sent to the Government Law College on or before **5<sup>th</sup> December, 2014** for teams participating in accordance with clause 1.1 and 1.2 and **by 10<sup>th</sup> November, 2014** for teams participating in accordance with clause 1.3. No change in the names of the participants shall be permitted after the receipt of the Registration Form, except at the sole discretion of the Organisers.

2.5.2. All teams shall be given a “team code” by the Organisers on validation of their Registration Form and Demand Draft/Bankers’ Draft/Wire Transfer.

2.5.3. Thereafter the teams shall use their designated “team code” for all correspondence with the Organizers.

2.5.4. The same team code must be used by the teams during the submission of Memorials and during all the Rounds of the Competition.

## 2.6 Dress Code

The dress code for the rounds of the competition shall be as prescribed by the Rules of the Court of Jurisdiction. The dress code for all the functions at the competition shall be western formals for gentlemen and western or Indian formals for ladies.

## 3. Requests for Interpretation of the Case-Study and Rules

All requests for interpretation of the case study and rules of the competition must be directed to the “*General Secretary, Moot Court Association*”.

Such requests for interpretation must be sent via e-mail to [dmh.glc@gmail.com](mailto:dmh.glc@gmail.com). The subject of the e-mail must read “*Request for Interpretation*”. Deadline for requests for interpretation of the case-study is **20<sup>th</sup> December, 2014**.

## 4. Competition Rounds

The competition shall be held over a period of four days and will comprise two (2) Preliminary Rounds, two (2) Octo-Final Rounds, one (1) Quarter-Final Round, one (1) Semi-Final Round and one (1) Final Round of Arguments.

### 4.1 Preliminary Rounds

4.1.1 There will be two (2) Preliminary Rounds and each team shall argue for both the sides (Applicant and Respondent).

4.1.2 A team shall be credited with a win in the Preliminary Rounds if their Round Total (as defined in Clause 8.2) is greater than the opposing team.

4.1.3. In case of a tie in the Preliminary Round, the team with the higher Memorial Score will advance to the Octo-Final Round.

4.1.4 The top sixteen (16) teams in the Preliminary Rounds shall advance to the Octo-Final Round (Round of 16).

### 4.2 Octo - Final Rounds

The sixteen (16) teams that advance to the Octo-Final Rounds shall be seeded to form an *Octo-Final Seeding Chart*. The following shall be the system for determining the teams that advance to the Octo-Final Round, and for the preparation of the *Octo-Final Seeding Chart*:

4.2.1 Teams that have a 2:0 win loss ratio in the Preliminary Rounds shall directly advance to the Octo-Final Round. Such teams shall be seeded according to their Round Total in the Preliminary Rounds as defined in clause 8.2.

4.2.2 Teams that have 1:1 win loss ratio shall advance to the Octo-Final Round based on their Round Total in the Preliminary Rounds. They shall be seeded after the teams qualifying through with a 2:0 win loss ratio in the Preliminary Rounds, in order of their Round Total.

4.2.3 The Octo-Final Rounds shall consist of Two (2) Mooting Sessions. The teams shall be paired on the basis of the *Octofinal Seeding Chart*.

**A. In Session 1:** The team seeded *first* in the Seeding Chart will be paired with the team seeded *sixteenth* in the Seeding Chart (Seed 1 vs. Seed 16), the team seeded *second* in the Seeding Chart will be paired opposite the team seeded *fifteenth* in the Seeding Chart (Seed 2 v/s. Seed 15) and all other teams will be paired in the same manner.

**B. In Session 2:** The team seeded *first* in the Seeding Chart will be paired with the team seeded *ninth* in the Seeding Chart (Seed 1 v/s. Seed 9), the team seeded *second* in the Seeding Chart will be paired opposite the team seeded *tenth* in the Seeding Chart (Seed 2 v/s. Seed 10) and all other teams will be paired in the same manner.

### 4.3 Quarter-Final Round

The top Eight (8) teams in the Octo-Final Rounds shall qualify to the Quarter-Final Round (Round of 8). The following shall be the system for determining the teams that advance to the Quarter-Final Round, and for the preparation of the *Quarter-Final Seeding Chart*:

4.3.1 Teams that have a 2:0 win loss ratio in the Octo-Final Rounds shall directly advance to the Quarter-Final Round. Such teams shall be seeded according to their Octo-Final Round Total as defined in clause 8.3.

4.3.2 Teams that have 1:1 win loss ratio shall advance based on their Octo-Final Round Total. They shall be seeded after the teams qualifying through with a 2:0 win loss ratio in the Octo-Final Rounds, in order of their Round Total.

4.3.3 The team seeded first in the *Quarter-Final Seeding Chart* will be paired with the team seeded eighth in the *Seeding Chart* (Seed 1 vs. Seed 8), the team seeded second in the *Seeding Chart* will be paired opposite the team seeded seventh in the *Seeding Chart* (Seed 2 vs. Seed 7) and all the other teams will be paired in the same manner.

4.3.4 The Quarter-Final Round shall consist of One (1) Mooting Session and will be a “Knock-out” Round where the winner of each Quarter-Final Round pairing will advance to the Semi-Final Round.

4.3.5 A team will be credited with a win in the Quarter-Final Round if their Round Total (as defined in Clause 8.3) is greater than the opposing team.

4.3.5 In case of a tie in the Quarter-Final Round pairing, the team with the higher Memorial Score will advance to the Semi-Final Round.

4.3.6 In case a tie persists even after the application of Clause 4.3.5 the team with a higher average of the aggregate score of the Octo-Final Round and Preliminary Round will advance to the Semi-Final Round.

## **4.4 Semi-Final Round**

4.4.1 The Semi-Final Round will consist of One (1) Mooting Session and will also be a “Knock-out” Round where the winner of each Semi-Final Round pairing will advance to the Final Round.

4.4.2 A team will be credited with a win in the Semi-Final round if their Round Total (as defined in Clause 8.3) is greater than the opposing team.

4.4.3 In case of a tie in the Semi-Final Round pairing, the team with the Higher Memorial Round score will advance to the Final Round.

4.4.4 In case a tie persists even after the application of clause 4.4.3 the team with a higher average score of the Quarter-Final Round, Octo-Final Round and Preliminary Round (all previous rounds) will advance to the Final Round.

# **5. Memorials**

## **5.1 Format Specifications**

All teams must submit Memorials/Written Submissions for both sides (Applicant & Respondent) and the Memorials must fulfil all the following specifications:

5.1.1 Memorials must contain the following:

- i. Table of Contents
- ii. Index of Authorities
- iii. Statement of Jurisdiction
- iv. Statement of Facts
- v. Questions Presented
- vi. Summary of Arguments
- vii. Body of Arguments
- viii. Conclusion / Prayer.

5.1.2 The Memorial shall not be more than forty (40) pages, including Body of Arguments, which shall not be more than twenty (20) pages.

5.1.3 The Memorial shall be formatted according to the following specifications:

- i. Typed on standard A4 size page
- ii. Font type: Times New Roman
- iii. Font size for body text: 12; the text of the written submission must have one and a half spacing
- iv. Font size for footnotes: 10; text of footnotes may be single-spaced however two separate footnotes must be double spaced

- v. Margin: 1 inch margin on each side of the A4 size page
- vi. Quotations of sources outside of the memorial of fifty words or more in any part of the memorial shall be block quoted and must be in italics.
- vii. It is recommended that the Memorials must be in a similar format to the previous year's Winning Memorials which can be found on the DMH website ([www.mcaglc.org/dmh.html](http://www.mcaglc.org/dmh.html)).

5.1.4 The footnotes must follow the Bluebook format of citation.

5.1.5. The Memorial must be either soft bound or spiral bound.

5.1.6. The Cover Page of the Memorial must have the following colour scheme:

**Blue:** Applicant Cover Page

**Red:** Respondent Cover Page

5.1.7 The Memorial must not contain any Annexure/Photographs/Sketches/ Exhibits/Affidavits etc.

5.1.8 Memorials that do not comply with the above-mentioned specifications will be subjected to penalties.

## 5.2 Deadline for submission of memorials

5.2.1 All teams must send a soft-copy of their Memorials, which must be of a **“.doc” file extension**, to [dmh.memorials@gmail.com](mailto:dmh.memorials@gmail.com) on or before **2<sup>nd</sup> January, 2015 by 11:59 p.m. (IST)**. The subject of the e-mail must be:

*Memorial for team code “mention team code”*

The content of the e-mail attachment **should not** differ from the content of the hard copies submitted to the Organisers.

5.2.2 All Indian Teams must send Six (6) copies of their Memorial for each side on or before **3<sup>rd</sup> January, 2015 by 6 p.m. (IST)** to the following address:

*The General Secretary  
Moot Court Association  
Government Law College  
'A' Road, Churchgate  
Mumbai-400020, India*

5.2.3. All Overseas Teams must send Six (6) copies of their Memorial for each side on or before **5<sup>th</sup> January, 2015 by 6 p.m. (IST)** to the address mentioned above in Clause 5.2.2.

5.2.4 All teams are required to carry with them **Six (6)** copies of the memorials for each side which have to be submitted to the organisers at the time of registration. The content of these additional memorials **should not** differ from the content of the hard copies submitted to the Organisers in accordance with clause 5.2.1. Failure to comply with the above rule will subject the team to immediate disqualification.

5.2.5 Participants are advised to carry extra copies of their Memorial for their own use.

### **5.3 Deadline for submission of Memorials for the Memorial Round**

Teams applying through the Memorial Round must submit two (2) copies for each side on or before **5<sup>th</sup> December, 2014** to the address mentioned in clause 5.2.2. The teams must also send an e-mail of the Memorials, which must be of a **“.doc” file extension**, to [dmh.memorials@gmail.com](mailto:dmh.memorials@gmail.com). The subject of the e-mail must be:

*Memorial Round: Memorial for team “mention team code”*

The shortlisted teams duly notified on **20<sup>th</sup> December, 2014** will be permitted to improve upon their submitted Memorials and submit a final copy for adjudication along with the other teams.

### **5.4 Anonymity**

Identity of the team or the names of the participants must not be revealed in the Memorial in any manner whatsoever and all teams must send the Memorial with a covering letter specifying the name and contact details of the Team Members and their designated Team Code.

Teams disclosing their identity through the Memorials in any form will be subject to disqualification.

### **5.5 External Assistance**

5.5.1 All research, writing and editing must be solely the product of Team members. No Team shall be allowed to view or otherwise become privy to any Memorial/Written Submission other than the respective Appellant and Respondent Memorial of the scheduled opposing Teams in the course of the Competition.

5.5.2 Team members are permitted to discuss with their coach (if any) and with others affiliated with their College/Law School/University general principles of

international law ONLY. Persons other than the official team members are not permitted to research on the Case-Study of the Competition.

5.5.3 The coach/faculty members/others affiliated with the College/Law School/University may provide general guidance on the overall organization of the brief, but cannot assist with the actual writing and are not permitted to edit the Written Submission/Memorials or correct the citation format.

**5.5.4 Academic guidance beyond that permitted by the Official Rules of the Competition will lead to the immediate disqualification of the team.**

5.6 The above memorials shall be evaluated in accordance with clause 6.3 of the rules.

5.7 After the completion of the Competition, the Organisers reserve the right to use the Memorials submitted to them, as they may deem appropriate.

## 6. Marking Criteria for the Memorials

6.1 The Memorials will be judged by a special panel of four Judges.

6.2 Every Memorial will be marked on a total of Hundred (100) marks by each of the four judges. Two judges will evaluate the applicants and the other two will evaluate the respondent memorials. The average (1/4<sup>th</sup> the total) of the marks of all four judges, out of a maximum of four hundred (400) marks will be taken as the final score.

6.3 The following will be the Marking Criteria and the Marks Allocated to each category:

S. No	Marking Criteria	Marks Allocated
1.	Knowledge of Law and Extent of Research	30
2.	Proper and Articulate Analysis, Clarity and Organization	25
3.	Knowledge of Facts	15
4.	Evidence of Original Thought	10
5.	Grammar and Style	10
6.	Correct Format and Citation	10
	<b>Total</b>	<b>100</b>

## 7. Oral Submissions

7.1 As specified hereinabove at 2.2.1, each team shall comprise of two speakers who shall divide the oral submissions between themselves.

7.2 During the course of the Oral Submissions no speaker shall either reveal his/ her identity or the identity of their University/College by any means whatsoever.

### 7.3 Time Distribution

7.3.1 Each team will have a maximum of 45 minutes to present their Oral Submissions. This will include the time that each team may want to reserve for their rejoinder / sur-rejoinder which will be at their sole risk.

*Teams must note that they will not be granted a rejoinder/sur-rejoinder as a matter of right and will lie at the sole discretion of the judges.*

7.3.2 At the commencement of every session of Oral Submissions each team shall notify the Court Officer as to the division of time between the 2 speakers including the time reserved for their rejoinder/sur-rejoinder. A maximum of 5 minutes can be reserved for the rejoinder/sur-rejoinder.

7.3.3 No single speaker will be permitted to address the Court for more than 30 minutes. This includes the time the speaker addresses the Court during the rejoinder/sur-rejoinder.

7.3.4 Teams shall not split the time reserved for a rejoinder/sur-rejoinder between themselves and only one speaker will be permitted to address the Court during a rejoinder/sur-rejoinder.

7.3.5 Five (5) minutes before the completion of the allocated time for each speaker there will be a warning bell, and at the completion of the allocated time for each speaker there will be a final bell.

7.3.6 If any speaker continues to speak after the completion of his/her time, the additional time which he/she speaks for will be deducted from the time allocated to his/her co- speaker, or from the time allocated for the rejoinder and sur-rejoinder, as the case may be.

7.3.7 The final decision as to the time structure and the right to rejoinder/sur-rejoinder will be that of the Judges.

## 7.4 Submission of additional material

7.4.1 All teams will be expected to carry along any case law(s) and authorities to which they intend to refer.

*Teams must note that they will not be permitted to submit any material to the judges if such material bears the name or seal of their College/University.*

7.4.2 During the course of oral submissions the participants cannot submit to the court any material containing pictorial representation whatsoever. Further the participants will not be permitted to make any audio/visual representation nor will they be allowed to use personal computers, laptops and any other technical or mechanical device during their oral submissions.

7.4.3 If at any instance a submission is made with any material in violation of the above rules and if any picture, sketches, photos, cartoons, caricatures, audio film, video film, projector-slide or a computer generated image is submitted or presented to court, the teams shall be disqualified from the competition forthwith.

## 8. Marking Criteria for the Arguments:

### 8.1 Points Allocation

8.1.1 Each Speaker will be marked on a total of 100 marks by each Bench Judge. The following will be the Marking Criteria and the Marks Allocated to each Speaker by each Judge in the Round:

S. No	Marking Criteria	Marks Allocated
1.	Understanding of Law and Procedure	20
2.	Application of Facts	20
3.	Ingenuity and Ability to Answer Questions	20
4.	Use of Authority	10
5.	Organisation and Flow of Arguments	10
6.	Reference to Memorials	10
7.	Advocacy Skills, Court Craft and Demeanour	10
	<b>Total</b>	<b>100</b>

8.1.2 The decision of the judges as to the Marks allocated to any team shall be final.

8.1.3 So as to ensure uniformity in the marking system all the judges will be provided with a marking guideline.

## **8.2 Round Total for the Preliminary Rounds**

The Round Total for the Preliminary Rounds will be an aggregate of the total marks of each Speaker by each Judge (as indicated in clause 8.1.1) in the Round and one-fourth (1/4th) of the Team's Memorial Marks (as indicated in clauses 6.2 and 6.3).

## **8.3 Round Total for the Octo-Final/Quarter-Final/Semi-Final/Final Rounds**

The Round Total for the Octo-Final, Quarter-Final, Semi-Final and Final Round will be an aggregate total of the marks obtained by each speaker from each judge (as indicated in table 8.1.1). A Team's Memorial Marks will not be a part of their Round Total in the Octo-Final, Quarter-Final, Semi-Final and Final Rounds. However in case of a tie, Memorial Scores will be used as a tie-breaker.

# **9. Researchers' Test**

9.1 The Researchers' Test shall be conducted on Day 1 of the Competition.

9.2 The test shall be for a duration of sixty (60) minutes only.

9.3 The test shall consist of both objective and subjective questions based on General Principles of International Law and the case study (Compromis)

9.4 If a team comprises of three (3) members, then ONLY the Researcher is eligible to take the test.

9.5 If a team comprises of two (2) members then one of the two members shall be eligible to take the test. However the team must notify the organizers as to which of the two team members shall take the test.

# **10. Awards**

10.1 A Rolling Trophy and a cash prize of Rs. 30,000/- for the Best Team and a Rolling Trophy and a cash prize of Rs. 20,000/- for the 2nd Best Team.

10.2 An award and cash prize of Rs 12,000/- for the Best Memorial and an award and cash prize of Rs. 8,000/- for the Runner-up Memorial.

- 10.3 An award and cash prize of Rs. 12,000/- for the Best Speaker, an award and cash prize of Rs. 8,000/- for the 2nd Best Speaker and an award and cash prize of Rs. 12,000/- for the Best Speaker in the Final Round of Arguments.  
The Best Speaker and Runner up Speaker Awards will be determined by the highest aggregate score of all rounds that the contestant has argued divided by the number of rounds, whereas the Best Speaker in the Final Round of Arguments will be determined on the basis of the Individual speaker scores in the Final Round of Arguments.
- 10.4 An award and cash Prize of Rs. 10,000/- for the Best Researcher, and an award and cash prize of Rs. 6,000/- for the 2nd Best Researcher.
- 10.5 All participants will get Certificates of Participation and all the winners of awards specified in 10.1 to 10.4 will get Certificates of Merit.

## **11. Miscellaneous**

### **11.1 Scouting**

No member of any team will be permitted to hear the arguments in any court room in which that team is not one of the contesting teams whilst that team is still in the competition. The Organisers shall take strict action, including expulsion from the competition, against any team found to be scouting through a team member or through any other means.

### **11.2 Organisers' Extra-Ordinary Power**

11.2.1 All Participants are expected to maintain decorum in the Court during the competition and are expected to conduct themselves in a manner befitting the legal profession. The Organisers reserve the right to take appropriate action for any unethical, unprofessional and immoral conduct.

11.2.2 The Organisers decision as regards the interpretation of rules or any other matter related to the competition will be final and binding.

11.2.3 If there is any situation which is not contemplated in the rules, the Organisers decision on the same shall be final and binding.

11.3.4 The Organisers reserve the right to vary, alter, modify, or repeal any of the above rules without any prior notification, if so required and as they may deem appropriate.

## **12. Disclaimer**

The Material in the competition Compromis is not intended to and does not attempt to resemble any incident or any person living or dead. All material in the Compromis is fictitious and any resemblance to any incident or person, if any, is not intended, but merely co-incidental.

## **13. Contact Details**

Email Address: [dmh.glc@gmail.com](mailto:dmh.glc@gmail.com) or [mca@glcmumbai.com](mailto:mca@glcmumbai.com)

Telephone Numbers-

*Feroze Patel - +91 - 982 063 4134*

*Aishwarya Wagle - +91 - 983 353 3965*

## **ANNEXURE-I**

The following Thirteen (13) Indian Colleges that had made it through to the Octo-Final Rounds of Argument in the previous edition of the Competition have directly qualified for the 16<sup>th</sup> D. M. Harish Memorial Government Law College International Moot Court Competition 2015.

- 1) National University of Juridical Sciences, Kolkata
  - 2) Institute of Law, Nirma University
  - 3) Gandhinagar National Law University, Gujarat
  - 4) Symbiosis Law School, Noida
  - 5) National Law School of India University, Bangalore
  - 6) Hidayatullah National Law University, Raipur
  - 7) ILS, Pune
  - 8) National Law Institute University, Bhopal
  - 9) NALSAR, Hyderabad
  - 10) National Law University, Jodhpur
  - 11) Government Law College, Mumbai
  - 12) National Law University, Delhi
  - 13) National Law University, Orrisa
- (Please note that this list is in no particular order)