

**REMEMBERING S. P. SATHE**

**THE 10<sup>TH</sup> NATIONAL MOOT  
COURT COMPETITION 2016**

19 – 21 FEBRUARY 2016



**INDIAN LAW SOCIETY**

**ILS LAW COLLEGE CAMPUS  
LAW COLLEGE ROAD, PUNE – 411004**

**MAHARASHTRA, INDIA.**

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## **INDIAN LAW SOCIETY, PUNE**

The Indian Law Society was established in 1923 as a Public Charitable Trust registered under the Societies Registration Act. It is a non-profit organization established with the sole purpose of imparting legal education. The Society is a voluntary association of persons, who came together with a pledge to launch courses on law, formal and informal, where law and legal doctrines are taught with social utility, purpose, impact and social relevance. The founder members of the Indian Law Society were great legal celebrities like Sir Narayanrao Chandavarkar, Shri J. R. Nanasaheb Gharpure, Diwan Bahadur and P. B. Shingane. Indian Law Society established ILS Law College in 1924, with a view to providing facilities for the study of law. Establishment of the Law College by the Indian Law Society was indeed a turning point in Indian Legal Education, particularly in respect to academic excellence, social relevance and professional competence. Imaginative realignment of written law or the hard law with a view to reorient them with the Indian social milieu has always been the strength of the Indian Law Society. The ILS Law College, during its 90 years of existence, has acquired the reputation of being a premier institution imparting brilliant and quality legal education in the country.

## **ILS LAW COLLEGE, PUNE**

Established in 1924, ILS Law College is one of the oldest law schools in the country and has been playing a pioneering role in legal education and scholarship. Since its inception, ILS Law College has produced some of the most highly regarded contributors in the field of law. Three Chief Justices of the Supreme Court, Justice P. B. Gajendragadkar, Justice Y. V. Chandrachud, Justice E. S. Venkataramaiah, Former Governor of Maharashtra K. M. Reddy, Former Defence & Finance Minister and First Chief Minister of Maharashtra Y. B. Chavan, Former Minister of Commerce Mohan Dharia, Former Chief Ministers of Maharashtra, Sushil Kumar Shinde and Vilasrao Deshmukh, all received legal education from ILS Law College. Completing 90 years of its existence, ILS Law College, with its illustrious history and heritage, has contributed immensely to the growth of legal profession and has upheld its tradition of producing meritorious legal scholars who dedicate themselves to public service and reform. The generations of distinguished legal luminaries who have been nurtured by this unique institution have made a seminal contribution globally to evolution of the legal fraternity. ILS Law College has been accredited with A+ by NAAC.

## **REMEMBERING S. P. SATHE NATIONAL MOOT COURT COMPETITION**

Dr Satyaranjan Purushottam Sathe was a distinguished legal luminary and a renowned academic in the judicial universe of India. He held various positions in Universities and Law Institutes of repute. Professor S.P. Sathe had a long association with the Indian Law Society. He was the Principal of ILS Law College from 1976 to 1991. He was also the Secretary of the Indian Law Society until 2002. He was the Founder Director of the Institute of Advanced Legal Studies. He was also the President of the Maharashtra People's Union for Civil Liberties, and a Vice-President of the National PUCL. Professor S. P. Sathe has been an authority on Constitutional Law, within the country and abroad. He contributed extensively to the field of legal education. His recent work on 'Judicial Activism' is appreciated worldwide. More than 100 articles written by him were published in national and international legal periodicals, magazines and journals. Books to his credit are, 'Administrative Law', 'Judicial Activism in India: Transgressing Borders and Enforcing Limits', and 'Right to Know'. He also wrote in Marathi. He contributed to the Marathi Vishwa Kosh published by the Government of Maharashtra. He was invited to deliver lectures, and to participate in seminars as a resource person to different law universities, institutions within and outside India. Known for his humility, Professor Sathe endeared himself to his colleagues and students alike. His commitment to Rights and Liberties of the people was deep and abiding.

Every year, Professor S. P. Sathe Foundation, set up by the Indian Law Society, organizes three events at ILS Law College, Pune on a specific theme with a view to commemorate his contribution to Indian Jurisprudence and Social Action and to encourage academic pursuit of law students. The three events are: a Memorial Lecture, a Conference, and a Moot Court Competition. The year 2016 will see the ILS holding the 10<sup>th</sup> *Remembering S. P. Sathe* National Moot Court Competition.

ILS<sup>®</sup>

## THE 10th REMEMBERING S. P. SATHE NATIONAL MOOT COURT COMPETITION 2016 | THEME

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The theme for this year's *S P Sathe* memorial events is:

***“Administration of Criminal Justice with special reference to India”***

The *Remembering S. P. Sathe* National Moot Court Competition is being organised to introduce participants to the practical aspect of criminal law. The criminal justice system consists of three major components viz. the investigation agencies that investigate the crime and gather evidence, the lawyers arguing the cases on the basis of the evidence so gathered and the judges who appreciate evidence placed before them and pass judgments which have the potential to lay down precedents. Failure of either of the constituent component can prevent the criminal justice system from being entirely effective.

Through this moot we aim to equip the students in the handling of a criminal case and to enable them to understand and exude the work done by the two of the three aspects of the criminal justice system.

ILS PUNE  
ESTD. 1923

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**REMEMBERING S. P. SATHE**

**THE 10<sup>TH</sup> NATIONAL MOOT  
COURT COMPETITION 2016**

**COMPETITION RULES**

**ILS**

**PART I**  
**GENERAL**

**1. INTRODUCTION**

1.1. The 10<sup>th</sup> edition of the *Remembering S. P. Sathe* National Moot Court Competition will be convened through 19 – 21 February 2016 by the Indian Law Society at the ILS Law College, Pune.

**2. PARTICIPATION AND ELIGIBILITY**

**2.1. TEAM MEMBER ELIGIBILITY**

2.1.1. Students enrolled in a full-time or part-time Bachelors or Masters 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. A team shall be composed of either:

- Two Members: both speakers, OR
- Three Members: two speakers and one researcher.

**2.3. NUMBER OF PARTICIPATING TEAMS**

2.3.1. **Twenty-four (24) teams outside Maharashtra** only shall participate in the Competition, on first come first served basis. There is no cap for teams from Maharashtra; this would include the team of ILS Law College, Pune.

2.3.2. In case there is an odd number of participating teams, ILS Law College, Pune will nominate a non-competing dummy team that will not proceed beyond the preliminary rounds.

2.3.3. Team members must carry their **current identity-cards** that have been issued to them by their institution. Team members will not reveal their identity or the identity of their institution during the progress of the competition, in the memorials, and even if requested by judges, failing which the team will face disqualification.

### 3. OFFICIAL LANGUAGE

3.1. The official language of the Competition is **English**. All Competition Rounds including the written submissions (Memorials) will only be in English.

### 4. DRESS CODE

4.1. The teams are expected to follow a strict dress code of **western or Indian formals**. Advocate's gown and white band are *not* essential.

### 5. CLARIFICATIONS TO THE COMPETITION MODULE

5.1. Teams may submit written requests for clarifications regarding the Module, comprising the Competition Case file and the Rules. Teams may submit requests for clarifications by email to [spsathemoot@ilslaw.in](mailto:spsathemoot@ilslaw.in) .

5.2. Requests for Clarifications must be received by us by **January 20, 2016**. All clarifications will be issued within 3 days of receipt of said clarification request.

## PART II REGISTRATION

### 6. REGISTRATION FORM

- 6.1. The duly completed Registration Form and scanned copy, with all team details must be submitted by email to: [spsathemoot@ilslaw.in](mailto:spsathemoot@ilslaw.in) by January 15 2016.
- 6.2. Hard copy of the Registration Form must reach ILS Law College, Pune on or before January 18 2016.
- 6.3. 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.
- 6.4. All teams shall be given a "Team Code" by the Organisers on validation of their Registration Form and Demand Draft.
- 6.5. Thereafter the teams shall use their designated "Team Code" for all correspondence with the Organisers.
- 6.6. The same team code must be used by the teams during the submission of Memorials and during all the Rounds of the Competition.

## 7. REGISTRATION FEE

- 7.1. Registration fee for participation in the Competition is INR 3,500/- (Rupees Three Thousand Five Hundred Only), exclusive of accommodation.
- 7.2. Registration fee is to be paid by Demand Draft drawn in favour of “Principal ILS Law College Pune” payable at Pune.
- 7.3. The scanned copy of the Demand Draft must be submitted by email to: [spsthemoort@ilslaw.in](mailto:spsthemoort@ilslaw.in) by January 15, 2016.
- 7.4. The Demand Draft (along with the hard copy of the Registration Form) must reach ILS Law College, Pune on or before January 18, 2016.

## PART III FORMAT OF THE COMPETITION

### 8. ROUNDS

- 8.1. The competition will be held in three rounds.
- 8.2. In the preliminary rounds, each team will present arguments for both sides in different courts. Eight teams will proceed to the semi-final rounds in two courts on the basis of: firstly by total wins, secondly by total marks in the preliminary rounds, and lastly (in case of tie) by total marks of memorials of such teams.
- 8.3. The winner from each of the two courts in the semi-final will proceed to the finals.
- 8.4. **Researcher’s Test will not be conducted.**

### 9. PROCEEDINGS

- 9.1. In the **preliminary and semi-final rounds**, each team will have **30 minutes** for argument. Each team member shall argue for at least 12 minutes.
- 9.2. In the **final round**, each team will have **45 minutes** for arguments, and each team member shall argue for at least 20 minutes. This time includes the time for rebuttals or sur-rebuttals. Only one speaker can speak in rebuttal or sur-rebuttal.
- 9.3. Each team and its members shall be seated in the court room through the proceedings of that court.
- 9.4. Any team member shall not visit any court room other than his own until that round is over.

9.5. Teams can use laptops during proceedings provided that it shall not interfere with the court proceedings.

9.6. Judges' decision on conduct of proceedings will be final in their respective courtrooms.

#### **PART IV MEMORIALS**

### **10. SUBMISSION OF MEMORIALS**

10.1. All memorial submissions must conform to the following general criteria. **Teams will be penalized for failure to abide by these requirements.**

10.2. Soft copies of the memorials must be e-mailed to [spsthemoort@ilslaw.in](mailto:spsthemoort@ilslaw.in) on or before **5 February 2016**.

10.3. **Four (4) hard copies** of the memorials from each side (i.e., 4 copies from Appellant side + 4 copies from Respondent side = total 8 memorials) must be sent to the following address, postmarked 5 February 2016:

**The Coordinator**

***Remembering S. P. Sathe National Moot Court Competition***

**C/o The Principal, ILS Law College,**

**Law College Road, Pune 411004**

**(Tel No. 020-25656775)**

10.4. Hard copies of the memorials should reach ILS Law College, Pune by **8 February 2016**.

### **11. CONTENTS OF MEMORIALS**

Memorials must contain the following:

- i. Cover page stating Title of the Competition, Name of the Court, Name of the Case, Title of the document (viz. "Memorial for the \_\_\_"), and Team Code
- ii. Table of Contents
- iii. Index of Authorities
- iv. Statement of Jurisdiction
- v. Statement of Facts
- vi. Issues
- vii. Summary of Arguments
- viii. Arguments
- ix. Prayer.

## 12. FORMAT OF MEMORIALS

Memorials shall be made and submitted as follows:

- i. **Microsoft Word document** (compatible with Windows)
- ii. **Cover:** Do not use plastic, leather bound or hard bound material. Use ordinary card paper.
- iii. **Cover Page:** Blue cover for Appellant; Red cover for Respondent.
- iv. **Paper:** White paper inside; A4 size.
- v. **Printing:** Both sides of sheets
- vi. **Page Count (Total):** Maximum 35; (Page = one side of sheet)
- vii. **Page Count (Arguments):** Maximum: 20; (Page = one side of sheet)
- viii. **Numbered:** Bottom-Centre.
- ix. **Font:** Times New Roman, 12 points for text, 10 points for footnotes
- x. **Line Spacing:** 1.5 for text, 1 for block quotes of more than 50 words in the text; 1 for footnotes.
- xi. **Para Spacing:** 2 for text, 1.5 for footnotes.
- xii. **Mode of Citation:** Oxford University Standard for Citation of Legal Authorities (OSCOLA), 4th Edition. Link to Free PDF of OSCOLA:  
[http://www.law.ox.ac.uk/published/OSCOLA\\_4th\\_edn\\_Hart\\_2012.pdf](http://www.law.ox.ac.uk/published/OSCOLA_4th_edn_Hart_2012.pdf).  
Additional reference for citations under OSCOLA:  
<http://www.law.ox.ac.uk/publications/oscola.php>.
- xiii. **Soft copies:**
  - Memorial for each side shall be a single document.
  - The document file shall be named: “(TEAM CODE)\_Memorial for Appellant” and “(TEAM CODE)\_Memorial for Respondents”.
  - The subject of the mail submitting memorials shall be: “Memorial – Name of your institution”; e.g.: “Memorial – ABC College”.
- xiv. Do not write the name of your institution on the memorials.

## 13. ADHERENCE OF MEMORIALS TO PRESCRIBED FORM AND CONTENT

**13.1.** Memorials that do not comply with above specifications will suffer penalty points.

**13.2.** Marks of memorials will not be counted in the preliminary or semi-final rounds, unless there is a tie.

**13.3.** Memorials of other team received during a round shall be returned to the Court-clerks immediately after the round is over. Teams shall not put any mark or matter on such memorial received.

**PART V  
ADJUDICATION**

**14. MARKING CRITERIA**

**14.1. ORAL ROUNDS**

**14.1.1.** Each judge in each round will mark each team member according to criteria given below:

Sr.No.	Criteria	Maximum Marks	
		Speaker 1	Speaker 2
1.	Knowledge of facts and identifying issues.	10	10
2.	Knowledge, statement and understanding of legal provisions and principles.	15	15
3.	Arrangement, presentation and content of argument.	10	10
4.	Logical reasoning, clarity, brevity and ingenuity of arguments.	10	10
5.	General presentation, court etiquettes, advocacy skills and time management.	5	5
<b>SUB – TOTAL</b>		<b>50</b>	<b>50</b>
<b>TOTAL</b>		<b>100</b>	

**14.2. MEMORIALS**

**14.2.1.** Each memorial will be marked as given below:

Sr.No.	Criteria	Maximum Marks
1.	Proper and articulate analysis of issues arising out of facts.	10
2.	Understanding and ability to explain the legal principles clearly.	10
3.	Presentation and content of argument.	10
4.	Use of legal sources.	10
5.	Variation in approach.	10
	<b>Maximum marks</b>	<b>50</b>
	Less penalty points	
	<b>Total marks for the memorial (50 minus penalty points)</b>	

## 15. AWARDS

15.1. Prizes for the competition are as follows:

- Winning Team: Rolling Trophy, and a trophy to carry to the Institution.
- Runners-up team: A trophy
- Best and Second-Best Memorials
- Best and Second-Best Student Advocates of the Competition
- Best Speaker of the Finals
- Justice V. A. Naik Prize for the Best team from Maharashtra.

15.2. **Each** Member of each team will receive a certificate of participation.

## PART VI MISCELLANEOUS

### 16. ACCOMMODATION

16.1. Participants can avail accommodation for the days of the competition only, i.e. 19th, 20th and 21st of February, 2016.

16.2. Teams which require accommodation must mention the same in the Registration Form and make additional payment accordingly. Accommodation charges for the days of the Competition is Rs.2,500/- (Rupees Two Thousand Five Hundred Only) per participant.

### 17. CONFIRMATION OF TRAVEL ITINERARY

17.1. Participating Teams must confirm their travel itinerary by February 10, 2016 and communicate the same to the Conveners by email on [spsathemoot@ilslaw.in](mailto:spsathemoot@ilslaw.in) .

### 18. ORGANISERS' EXTRA-ORDINARY POWER

18.1. 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.**

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

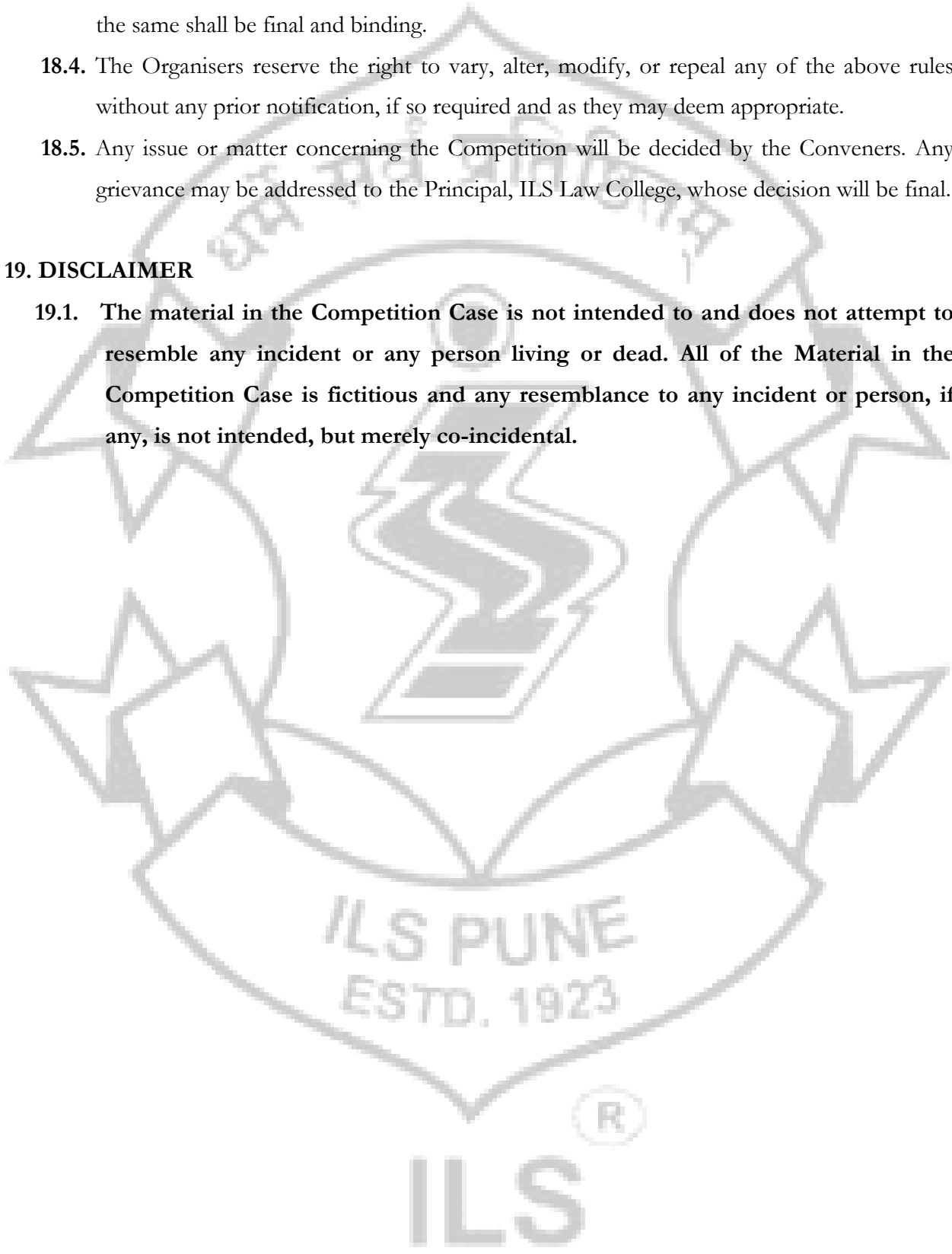
**18.3.** If there is any situation which is not contemplated in the rules, the Organisers decision on the same shall be final and binding.

**18.4.** 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.

**18.5.** Any issue or matter concerning the Competition will be decided by the Conveners. Any grievance may be addressed to the Principal, ILS Law College, whose decision will be final.

## **19. DISCLAIMER**

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



## **TIMELINE FOR THE COMPETITION**

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<b>Release of Competition Module</b>	<b>30 December 2016</b>
<b>Last Date for sending clarifications to Competition Module</b>	<b>20 January 2016</b>
<b>Participants will receive responses to clarifications latest by</b>	<b>20 January 2016</b>
<b>Last Date for sending soft copy of Registration Form and scanned copy of Demand Draft by Email</b>	<b>15 January 2016</b>
<b>Hard copy of Registration Form, and Demand Draft must reach Organisers on or before</b>	<b>18 January 2016</b>
<b>Last Date for sending soft copy of Memorials by Email</b>	<b>05 February 2016</b>
<b>Confirmation of Travel Itinerary of Teams by Email</b>	<b>10 February 2016</b>
<b>Hard copy Memorials must reach Organisers on or before</b>	<b>08 February 2016</b> (Parcel should be postmarked)
<b>Inauguration, Draw of Lots, and Exchange of Memorials</b>	<b>19 February 2016</b>
<b>Preliminary Rounds</b>	<b>20 February 2016</b>
<b>Semi-Final Rounds , Final Round and Valedictory Session</b>	<b>21 February 2016</b>

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## **CONTACT DETAILS**

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