

SVKM's Pravin Gandhi College of Law



MOOT COURT
SOCIETY



Presents

8th Nyayavalokan 2017

National Trial Advocacy
and
Judgment Writing Competition

October 5th – 8th, 2017

RULES AND REGULATIONS

The participation in the 8th Nyayavalokan National Trial Advocacy and Judgment Writing Competition (hereinafter referred to as “the said competition”) is restricted to 24 teams only. The first 24 teams that confirm and complete the registration formalities shall be entitled to participate in the said competition.

CHAPTER I – Trial Advocacy

Article 1 – Team Composition

1. The team shall consist of 4 members (2 speakers and 2 researchers).
2. Either one out of the two researcher(s) shall participate in the Judgment Writing Competition. This number cannot be modified under any circumstances.
3. Each team will have a team code and each member of the team shall also be given an individual team code. Teams should not disclose their identity or that of their institution or city, etc. such disclosure shall invite penalties including disqualification. The decision for the same shall be at the discretion of the Organizers.

Article 2 – Date and Venue

The said competition shall be held from October 5th, 2017 to October 8th, 2017 at the SVKM’s Pravin Gandhi College of Law, Mithibai College Campus, 8th Floor, Vile Parle (w), Mumbai – 400056.

Article 3 – Dress Code

Advocates attire (including neckband and gown). Participants are expected to make their own arrangements regarding the same.

Article 4 – Eligibility Criteria

1. Students pursuing any three or five year courses of the LL. B degree in the academic year 2017-18 from any recognized law school/college/university in India are eligible to participate.
2. Participant shall carry their college Identity card for the purpose of identification during the said competition.

Article 5 – Registration

1. Registration fee for the said competition is Rs. 4000/- (Rupees Four Thousand Only) payable by Demand Draft in favor of “Pravin Gandhi College of Law” payable at “Mumbai”.
2. Teams from each participating college are required to send a scanned copy of their duly filled-in registration form along with the demand draft for registration via email to nyayavalokan@gmail.com latest by September 11th, 2017. Each college must ensure that the subject of the mail reads “Registration for Nyayavalokan 2017”. Forms received after the deadline shall not be considered.
3. Teams participating are required to send the hard copy of the Registration form, Demand Draft and Travel forms latest by September 13th, 2017 at “SVKM’s Pravin Gandhi College of Law, Mithibai College Campus, 8th Floor, Vile Parle(W), Mumbai-400056.”
4. Teams shall provisionally register with the host college by September 7th, 2017 before sending the Registration Form, Demand Draft and Travel Form. Forms will only be accepted if the host has confirmed the Registration formalities.

Article 6 – Language

The said competition shall be in English only. Use of vernacular language during the said competition is prohibited by the participants.

Article 7 – Witnesses

1. Organizers will provide the witnesses. The witnesses will be generally briefed and assigned by the Organizers. However, each team will have an opportunity to specially brief their witnesses. The witnesses to be briefed will be assigned to each team prior to the commencement of the respective rounds. All the participating teams will ensure that the witnesses depose only in English Language.
2. It is mandatory for the Prosecution and the Defence to examine ALL the witnesses and dropping a witness will result in loss of marks. However, the order in which witnesses are to be examined shall be determined by the concerned team taking examination in chief.
3. The team conducting examination in chief of their witnesses or the team cross-examining the witnesses will desist from arguing with the witnesses.

Article 8 – Anonymity

1. Student Counsel may introduce himself/herself to the court in the usual manner and may also state their speaker code. However, the team's college name shall not be indicated to the judges at any time.
2. Further, all team members, coaches, advisors and observers shall refrain from identifying a team's law school/college/university at any time and in any manner, including but not limited to wearing any identifying items (such as college clothing, ties, patches or pins) or carrying identifying material (such as books with a college logo or seal etc).

Article 9 – Scouting

1. Teams will not be allowed to observe the orals of any other teams. Scouting is strictly prohibited. Scouting by any of the teams shall result in disqualification.
2. Any team can file a written complaint with the Organizers, reading a case of scouting. The Organizers decision shall be final.
3. The researchers will sit with the speakers at the time of orals and shall not attend the court sessions of any other team participating in the said competition.

Article 10 – Rounds

1. Orientation & Draw of lots will be held on October 5th, 2017.
2. The preliminary rounds will be held on October 6th, 2017.
3. Each team shall argue from both the sides in their preliminary rounds.
4. Eight teams shall qualify for the Quarter-finals.
5. The quarter final round will be held on October 7th, 2017 in the afternoon session.
6. The semi-final round will be held on October 8th, 2017 in the morning session.
7. The final round will be held on October 8th, 2017 in the afternoon session.
8. Witness Briefing for Preliminary round and Quarter Final Round shall be for 45 minutes and for Semi Finals and Finals shall be for 60 minutes.
9. All the rounds will only be knock-out rounds. Qualifications will be based on the same.

Article 11 – Oral Rounds

1. In the Preliminary and Quarter final round the time slot for each round shall be as follows:
 - a. Opening Statement (i.e. submissions on charge) on behalf of the Prosecution-2 minutes.
 - b. Opening Statement (i.e. submissions on charge) on behalf of the Defence- 2 minutes.
 - c. Examination- in- Chief on behalf of the Prosecution - 10 minutes for each witness.
 - d. Cross Examination on behalf of the Defence -12 minutes for each witness.
 - e. Examination-in-chief on behalf of the Defence - 10 minutes for each witness.
 - f. Cross examination on behalf of the Prosecution - 12 minutes for each witness.
 - g. Final Arguments on behalf of the Prosecution - 10 minutes.
 - h. Final Arguments on behalf of the Defence - 10 minutes.

Therefore, the Prosecution will get a total of 78 minutes and the Defence will get a total of 78 minutes in the preliminary round. Each speaker shall have to conduct either of the two examinations and deliver either the opening statement or the final argument in each round. The combination each team would like to follow needs to be informed to the organizers at the time of the orientation and the same shall not be altered for any of the later rounds.

2. In the Semi-final and Final round, the time slot shall be as follows:
 - a. Opening statement on behalf of the Prosecution - 3 minutes.
 - b. Opening statement on behalf of the Defence - 3 minutes.
 - c. Examination-in chief on behalf of the Prosecution - 15 minutes for each witness.
 - d. Cross Examination on behalf of the Defence - 15 minutes for each witness.
 - e. Examination-in-chief on behalf of the Defence - 15 minutes for each witness.
 - f. Cross Examination on behalf of the Prosecution - 15 minutes for each witness.
 - g. Final Arguments on behalf of the Prosecution - 20 minutes
 - h. Final Arguments on behalf of the Defence - 20 minutes

Therefore, prosecution shall get a total of 113 minutes and Defence shall get 113 minutes in the Semi-final and Final round.

Article 12 – Judging Criteria

Parameters for judging are:

1. Knowledge of facts.
2. Logic & clarity in reasoning.
3. Persuasiveness and deference to court.
4. Proper, articulate and systematic analysis of the issues arising out of facts.
5. Understanding of the laws of evidence and procedure.
6. Ability to successfully conduct chief/cross examination within the allotted time.

7. Ability to elicit favorable facts from witnesses or deal with unreceptive, argumentative witnesses.
8. Ingenuity (ability to argue by analogy from related aspects of law) or knowledge of the relevant provisions relating to penal laws.

Note – The Scene of Offence Panchnama, the Forensic Reports and the Court Order shall be taken as proved. However, the FIR shall be proved by the team allotted prosecution through the concerned witness. Both the teams must be aware of procedure for taking contradictions and omissions and exhibiting documents and articles. Marks shall be specially allocated for this purpose.

Article 13 – Awards

- Best team - Trophy and cash prize of Rs. 20,000/-
- Second Best Team -Trophy and cash prize of Rs. 15,000/-
- Best Student Advocate -Trophy and cash prize of Rs. 5,000/-
- Second Best Student Advocate -Trophy and cash prize of Rs. 3,000/-
- Best Judgments -Trophy and cash prize of Rs. 3,500/-

Article 14 – Certificates

Certificates will be awarded only to the participants during the valedictory ceremony and under no circumstances will they be provided to any of the participants absent during the ceremony. In the event that the participants fail to collect their certificates, no mail will be sent by the host college acknowledging their participation.

Article 15 – Accommodation

1. Accommodation shall be provided only on prior request. The teams who would like to avail the accommodation facility need to make a prior intimation to the Host College and send an additional demand draft for Rs. 6,000/- (Rupees Six Thousand Only) in favor of “**Pravin Gandhi College of Law**” payable at **Mumbai** along with the registration form.
2. Accommodation shall be provided to the participants from October 5th, 2017 (Morning) – October 9th, 2017 (Morning).

Note: Drinking and Smoking is strictly prohibited at the place of accommodation. Noncompliance of this rule will lead to disqualification and the host institution can institute action against the team found violating this rule.

Article 16 – Miscellaneous

1. Case laws that the parties wish to rely on at the time of final arguments shall be submitted in five copies (two for the judges, one for the other side, one for itself and one for the organizers).
2. Opening statement of the prosecution will require the prosecutor to address the judges on the charge it wishes the court to frame. It shall be necessary to point out the supporting material from the chargesheet herewith provided to sustain the charge. As far as the defence is concerned, the opening address shall require them to point out if there is any charge which the court ought not to frame as there is no material in the charge sheet provided herewith to support the same.
3. All exhibits in the chargesheet are assumed to be exhibited in accordance with the Indian Evidence Act, 1872 and the same shall be taken as being duly proved except as mentioned in Article 12 above.
4. The judges will be recording the evidence for both the prosecution and defence as taken by participants in the said competition.
5. In the event there is any contradiction between the evidence recorded in court and the Statements recorded under section 161 of the Code of Criminal Procedure, 1973, the participants must be aware as to the procedure to deal with such contradiction.
6. After completion of evidence, the participants will be given notes of evidence (hereinafter referred to as “**the said notes**”) of prosecution and defence recorded by the court. A fifteen (15) minutes break will be given to the participants for the perusal of the said notes. The participants will have to advance Final Arguments only on the basis of notes of evidence and the exhibited documents so provided to them.
7. All participating teams must be conversant with the Indian Penal Code, 1860; Criminal Procedure Code, 1973; and Indian Evidence Act, 1872 whilst taking evidence and advancing final arguments for the prosecution and the defence.
8. Last date for seeking clarification with respect to said competition is Monday, September 18th, 2017.
Clarifications can only be sought via email on nyayavalokan@gmail.com.

CHAPTER II – JUDGMENT WRITING COMPETITION

The Judgment Writing Competition will be held during the semi-final rounds. The participants will be divided in two court rooms (8 participants in each court room). Pursuant to the semi-final rounds, each participant of the judgment writing competition

will be provided with a computer for the judgment writing competition. The top scorer from both the court rooms will get the award for 'Best Judgment'. The judgment writing shall be held on October 8th, 2017.

Note:

1. The travel form should be sent along with the Registration form. Registration form, travel form and clarifications will only be sought via e-mail on nyayavalokan@gmail.com.
2. The railway stations nearest to the college premises are Dadar Central and Western, Andheri, Bandra, Borivali and Lokmanya Tilak Terminus.
3. Nearest Airport is the Chattrapati Shivaji Domestic Airport, Mumbai. Kindly mention the airport (International or Domestic) while traveling to Bombay.

For any further clarifications, kindly contact:

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