



SASTRA
ENGINEERING · MANAGEMENT · LAW · SCIENCES · HUMANITIES · EDUCATION
UNIVERSITY
A UNIVERSITY U/S OF THE UGC ACT, 1956
SCHOOL OF LAW

PRESENTS



5th NATIONAL MOOT COURT COMPETITION

18th SEPTEMBER – 20th SEPTEMBER, 2015

RULES AND REGULATIONS

1. ORGANISATION OF THE COMPETITION

1.1. Administration

- TARKA SASTRA- School of Law, SASTRA University's flagship moot event is held and administered by the School of Law Mooting Society.
- The problem for the 5th edition of TARKA SASTRA is based on contemporary issues in Constitutional Law.
- The Competition is to be held on the 18th, 19th and 20th of September, 2015.

1.2. Language

Competition shall be conducted in English only.

1.3. Definition

- “Advanced Round” means the Final Round, Semi-Final Rounds and Quarter-Final Rounds of the Competition.
- “Appellant” means the side which argues on behalf of the problem appellant.
- “Competition” means the 5th National Moot Court Competition of School of Law, SASTRA University- TARKA SASTRA.
- “Core-Committee” means the Moot Society of School of Law, SASTRA University and the members therein, and any person/persons so appointed or included by the Moot Society to administer the Competition.
- “Memorial” means the written submissions of each team, submitted according to these Rules.
- “Problem” means the Problem of the Competition as released by The Moot Society.
- “Respondent” means the side which argues on behalf of the problem respondent.

1.4. Interpretation of the Rules

The interpretation placed upon these Rules by the Core-Committee shall be conclusive. The decision of the Core-Committee regarding the application of these Rules shall be final and binding on all the participating teams of the Competition.



2. PARTICIPATION AND ELIGIBILITY

2.1. Eligibility

Every Institution offering an undergraduate LL.B. Degree or an integrated LL.B. Degree Course is eligible to participate in the same. Each Institution may enter one Team. The Competition is open to students pursuing the five year and three year LL.B. Courses.

2.2 Team Composition

- Each team shall mandatorily consist of three members- two speakers and one researcher.
- The substitution of any Team Member is not allowed after the registration deadline except in extenuating circumstances and only with the explicit permission of the Core Committee.

2.3. Registration

- The University/College/Institution/School must express their interest in participation (through E-Mail) by provisionally registering themselves on or before **18th of August, 2015.**
- The University shall confirm participation of institutions on first come first serve basis on or before **21st of August, 2015.**
- After such confirmation, the teams shall send the soft copies of the Registration Form and the Demand Draft for a registration fee of Rs. 1500/- favouring “SASTRA University” payable at Thanjavur via e-mail to tarkasastra2015@gmail.com on or before **24th of August, 2015.**
- The hard copies of the Registration form and the DD shall reach the hosts on or before **28th of August, 2015.**

2.4. Dress Code

During the rounds:

- Men: Formal - White Shirt, Black Trousers, Black Blazer, Black Tie and Black Shoes.
Women: Formal - White Shirt, Black Trousers, Black Blazer and Black Shoes.



After/ before moot hours, within the campus:

- Men: Formal Wear.
- Women: Full Indian Formals complete with duppatta.
- Shorts and tracks will not be permitted in the campus premises.

3. MEMORIALS**3.1. Memorial Submission**

- Each Team participating in the Competition must prepare one Memorial on behalf of Petitioner and one on behalf of the Respondent.
- **The soft copy of the memorials (for both the sides) must be sent for evaluation to tarkasastra2015@gmail.com by 9th September, 2015 before 11:59 pm. Late submissions shall be penalized by one point on each memorial for every day of delay after due date.**
- One hard copy each of the memorials must be sent in advance either by Courier or by Post to the address- **TARKA SASTRA-2015, SASTRA Moot Society, School of Law, SASTRA University, Thanjavur-613 401, Tamil Nadu, India, before 12th September, 2015.** Memorials submitted beyond the deadline shall not be evaluated. No excuses in respect of delayed courier services will be entertained and no extensions will be granted with respect to this deadline.
- Memorials submitted within the deadline will be evaluated according to Rule. 3.4
- Each Team further has to submit 5 hard copies of the memorial for each side at the time of registration on **September 18th, 2015.** Non-compliance will entail a penalty of 1 point per copy if not submitted.
- Once the memorials have been submitted, no revisions, supplements, or additions will be allowed. Non adherence may lead to penalization/disqualification.

3.2. Memorial Format

All memorials must confirm to the general requirements as stated below. Any failure to confirm to the same shall attract penalization.

- All pages of the Memorial must be of A4 size with an equal margin of one inch on each side.



- The page numbering shall appear on the top right hand corner of each page.
- The font style and size of the text of all parts of the Memorial, excluding the Cover Page and page numbers, must be in Times New Roman 12-point. The Footnotes shall be in Times New Roman 10-point.
- The text of all parts of the Memorial must be double-spaced, except for the Cover Page, Table of Contents, Index of Authorities, headings, and footnotes. The footnotes must be separated with single line spacing.
- Soft copies of the memorial shall be sent both in **PDF and Microsoft Word 2010 format**.
- The Hard Copies of the Memorial shall be printed on only one side.
- The memorials should not be spiral/staple bound; it must be stitched or book bound. Any other form of binding shall not be accepted.
- The briefs shall be colour coded as follows:
 - Applicant: Blue Colour.
 - Respondents: Red Colour.
- Use of Cellophane sheets over the covers or inside will lead to penalization.

3.3. Memorial Content

- The Memorials should contain the following sections:
 - Cover Page/ Cause Title;
 - Table of Contents;
 - Index of Authorities
 - Statement of Jurisdiction
 - Statement of Facts (To be restricted to 2 pages only. Argumentative statement of facts shall attract penalty)
 - Statement of Issues
 - Summary of Arguments (To be restricted to 2 pages)
 - Arguments Advanced; (To be restricted to 20 pages)
 - Prayer.
- The cover page of the memorial must state the following:
 - The cause title
 - Identity of brief as that of the Petitioners / Respondents.



- Identity of the institution shall not be revealed anywhere in the memorial and violation of this provision shall result in penalization inclusive of disqualification.
- For the benefit of the judges, the teams may submit a compendium with all relevant annexure and case laws that have been referred to in the memorial. It must be handed over to the Court officers 10 minutes prior to the commencement of the rounds.

3.4. Memorial Evaluation

- The maximum score for each memorial shall be 100 points. The memorials shall be evaluated on the following criteria:
 - Neatness
 - Legibility
 - Absence of typographical or format errors
 - Logical progression of ideas
 - Effective use of headings to outline arguments
 - Understanding essential legal issues presented
 - Focus on essential (and not collateral) issues
 - Clear, concise and unambiguous writing style
 - Forceful and persuasive presentation
 - Integration of facts into legal argument
 - Understanding of strengths and weaknesses of case
 - Discussion of viable alternative arguments
 - Understanding and analysis of authority
 - Effective use of authority to support arguments
 - Ability to distinguish adverse cases

3.5 Copyright

- The copyright over the memorials submitted for participation in this competition is assigned by the participants and shall vest completely and fully in School of Law SASTRA University.
- Further use and exhibition of these materials, electronically or otherwise, shall be the exclusive right of School of Law, SASTRA University.

4. ORAL ROUND PROCEDURES

4.1. General Procedures



- There shall be two sessions of preliminary rounds, a quarter final, a semi-final and a final.
- The Applicants shall submit their arguments first followed by the Respondents. Thereafter the Applicant shall have the option of submitting rebuttals. Sur-rebuttals shall be allowed at the Judge's discretion.
- Each team will be provided with a team code during orientation session on the day of inauguration- **18th September, 2015** after which the memorials shall be exchanged.
- The teams shall not disclose the identity of their institution in any manner during the rounds. Any such disclosure shall invite penalties including disqualification.
- The oral arguments shall be confined to the issues stated in the memorials.
- The researcher is allowed to aid the speakers during the rounds and shall do so by delivering written notes. The researcher is not allowed to communicate to the presiding judges at any point in time.

4.2. Procedures for Oral Submissions

- Each team will get a total of 30 minutes to present their case. This time will include rebuttal and Sur-rebuttal time.
- The division of time is left to the discretion of the team members, subject to a maximum of 18 minutes per speaker.
- The agreed division of time shall be communicated to the court officers before the rounds.

4.3. Preliminary Rounds

- Draw of lots for the preliminary round will be conducted on **18th September, 2015**.
- Preliminary Round will be held on **19th September, 2015**.
- All the teams are required to argue for both sides in the Preliminary round.
- No two teams shall face each other more than once in the preliminary rounds.
- Top eight teams shall be identified on through the process of **dynamic seeding** on the basis of memorial scores of the teams. These eight teams will not face each other in the preliminary rounds.
- In determining the winners of the preliminary round, the memorial scores will be added to the scores of oral rounds. Top eight teams will advance to the Quarter Final Rounds



- The memorial marks shall be considered for the Preliminary round only.

4.4. Advanced Rounds

- The Quarter-Finals shall take place, post- lunch on **19th September, 2015**.
- The Lots picked by the teams will decide the party they shall represent in the Quarterfinals.
- The winners of Quarter-Finals will be decided on the basis of knockout rounds.
- Whether or not to conduct the Quarter Final rounds shall be decided by the Core Committee and such decision shall be final. In the event that Quarter Finals are not held, the Semi Finals shall be held between the four highest ranking Teams from the Preliminary Rounds.
- The Semi-finals and finals shall be held on **20th September, 2015**.
- The winners of Semi-finals will be decided on the basis of knockout rounds.
- Starting from the Semi final round, each team will get 45 minutes to present their case and that will include rebuttal and Sur rebuttal time.
- The division of time is at the discretion of the team, subject to a maximum of 25 minutes per speaker.
- The Winning Team from each of the two Semi final Rounds shall advance to the Final Round. The Winner of the Final Round shall be declared Winner of the Competition.

4.5. Evaluation of oral rounds

- The oral rounds shall be judged for a total of 100 points.
- The parameters for judging the oral presentations are:
 - Knowledge of facts
 - Logic and reasoning
 - Organization and clarity
 - Persuasiveness
 - Deference to the court
 - Proper and articulate analysis of the issues arising out of facts
 - Understanding of the legal principles directly applicable to the issues
 - Ability to explain clearly the legal principles in general, adhering to the time allotted



- Knowledge and use of legal sources and authorities and general principles of law
- Ingenuity

The oral rounds shall be judged on the following criteria:

- | | |
|--|-----------|
| - Memorials | 20 Points |
| - Application of Facts | 10 Points |
| - Understanding of Law and Precedents | 10 Points |
| - Reasoning in the Application of Principles | 10 Points |
| - Use of Authorities and Precedents | 10 Points |
| - Response to Questions and Articulate Answering | 20 Points |
| - Advocacy Skill/Court Craft/ Demeanour | 20 Points |

5. RESEARCHER'S TEST

A written test based on the moot problem will be held for the researchers on **18th September, 2015** after the inauguration session.

6. SCOUTING

- Teams shall not be allowed to observe the oral rounds of another team.
Scouting is strictly prohibited.
- Scouting by any team shall entail instant disqualification.

7. AWARDS

- Winning Team Award: The winning team will receive a cash prize of Rs. 50,000/-.
- Runner Up Team Award: The runners up team will receive a cash prize of Rs.25,000/-
- Best oralist shall receive a cash prize of Rs.10,000/-.
- Best researcher shall receive a cash price of Rs. 10,000/-
- The team with the Best Memorials will receive a cash prize of Rs.5,000/-.

8. ANONYMITY

- The participants shall introduce themselves to the court in the usual manner and may also state her/his name. However, all team members must refrain from



disclosing the identity of their institution at any time and in any manner, during the oral rounds.

- Further, they shall not wear any identifying items, such as school Clothing, Ties, and Badges, Pins or carrying any other such Material.
- Non-compliance with this Rule will result in immediate disqualification of the team. The decision of the Core Committee in this regard shall be final.

9. DECISION OF THE JUDGES SHALL BE FINAL

The decision of the judges with regard to the outcome of the rounds shall be final, conclusive and binding.

10. ACCOMMODATION, FOOD & TRANSPORT

- Accommodation and food for participating teams will be provided by School of Law, SASTRA University on campus.
- Accommodation will be provided from 17th September, 2015 (evening) to 21st September, 2015 (morning).
- No facility will be provided to any extra member, coach or faculty accompanying the team.
- The name and mobile number of the student volunteers in charge of transport/accommodation will be made available.

11. CLARIFICATIONS

- The last date to approach the organisers for clarifications regarding the moot problem is 1st September, 2015.
- Final clarifications shall be released on 2nd September, 2015.
- Any other clarifications regarding the competition can be sought from:

- FACULTY CONVENORS

Dr. K. Nilamudeen +91- 9487257227

Prof. S. Sanjith +91- 8148708323

- STUDENT CONVENORS

Convenor:

K. V. Kartik Subramanian +91 9677137731



5TH NATIONAL MOOT COURT COMPETITION 2015



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Joint Convenor:

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