



**IV MAHAMANA MALVIYA NATIONAL MOOT COURT
COMPETITION 2016**

*Organised By Faculty Of Law, Banaras Hindu University As A
Part Of Centenary Celebrations.*

2nd April -3rd April 2016

Venue:

Law School

B.H.U. (U.P.)

MAHAMANA MALAVIYA
National Moot Court Competition-2016

Law School, BHU, Varanasi

2nd April -3rd April 2016

RULES AND REGULATIONS

PART-I

TITLE, DATE AND VENUE

Sec. (1) The *Mahamana Malaviya National Moot Court Competition 2016*, shall be held on *2nd April-3rd April 2016*

Venue: Law School, B.H.U., Varanasi, Uttar Pradesh.
Prof. D.K. SHARMA, HEAD & DEAN, will be the National Administrator.

PART-II

LANGUAGE

Sec. (2) The competition shall be held only in the English Language.

PART-III

ELIGIBILITY & TEAM-COMPOSITION

Sec. (3) The competition is applicable for those students who are pursuing LL.B. *Three year OR Five year* course from any college/institution/university within the territory of the India.

Sec. (4) The team composition, for the competition, shall comprise of either **TWO** members (being designated as Speakers) OR **THREE** members (TWO of them shall be designated as Speakers and **ONE** Researcher).

Provided that a team may however consist of only TWO members in which case, no member shall be designated as Researcher.

Sec. (5) Any additional member, as mentioned under Sec.4, will not be entitled to local hospitality. He shall also be not entitled to any kind of prize/ award in the competition.

Note (1):- No TEAM COACH shall accompany the participating team in the competition.

Note(2):- if any speaker OR researcher is found taking assistance of any kind of *unfair means*, the team shall stand disqualified from the competition at any stage.

Sec. (6) The Researcher may be permitted to argue as Speaker in case of illness OR any unforeseen event, the permission of the National Administrator in such case shall be mandatory.

Sec. (7) At any stage of competition **Member-Swapping** is strictly prohibited (that is any member of *a team* is requested by *another team* to plead on their behalf)

PART-IV
ACCOMODATION

Sec. (8) The accommodation shall be provided to the participating teams within the University Campus preferably. The accommodation facility shall be restricted to only Three Members of a particular team, which in any case shall not change. However, no accommodation facility will be rendered to the teams which are within the vicinity of 100K.M. from the Law School B.H.U.

The participating teams are supposed to intimate the details of their arrival and departure as mentioned in **Annexure-B**.

PART-V
REGISTRATION

Sec. (9) The registration of the participating teams, for the Mahamana Malaviya National Moot Court Competition , 2016, shall be on the priority basis, that is, receiving the consent letters of the teams in the order of sending first. The preference of registering the teams shall be in the aforesaid manner only. However, the discretion of Dean, Law School, B.H.U., shall be final. The participating teams are kindly requested to send the duly filled registration form latest by **20th February, 2016** and e-mail at mcclawschool.bhu@gmail.com. The maximum number of teams will not exceed 24(twenty four). The first 24 teams, who have sent their duly filled registration forms, shall be deemed to have been registered for the moot court competition. No alteration shall be made once the teams are registered, the intimation of which shall be confirmed by the moot court committee to the teams registered.

Sec. (10) The teams who are sending through hard copy, the last date for sending the registered form shall be **25th February, 2016**.

Sec. (11) The date for accepting registration forms either by post or by e-mail shall not exceed the stipulated date as mentioned aforesaid.

PART-VI
MODE OF PAYMENT

Sec. (12) The registration fees for the MOOT COURT COMPTETION shall be payable at **State Bank of India, B.H.U. branch, Varanasi** in the favour of **Mahamana Malaviya National Moot Court Competition**, Account No. **32750120587**, the mode of payment can be either by way of cheque or bank draft of Rs. **1500.00** (one thousand five hundred rupees only). The cheque/draft must reach along with the registration form at the requisite address. Any delays may kindly be intimated to the Dean, Law School, BHU or mail at mcclawschool.bhu@gmail.com.

PART-VII
DRESS CODE

Sec.(13) The members of participating teams in the competition are mandatorily required to dressed up in their formal wear. Dress code shall be Western formals for Gentlemen and Western or Indian formals for Ladies. The teams should make their own provisions to comply with the dress code of the competition.

Note: Any *clarifications* regarding the moot court competition shall be adhered by the National Administrator in consultation with the moot court committee, the decision of which shall be final. Any clarifications may kindly be sent at mcclawschool.bhu@gmail.com or may contact at +91-9450244368, +91-8765214051, +91-9389822334 (During Office hour only).

PART-VIII

STRUCTURE OF THE COMPETITION

Sec. (14) The formal commencement of the competition shall commence from **2nd April, 2016** with the inauguration and shall conclude with the Valedictory function on **3rd April, 2016**.

However, the teams are supposed to arrive One Day prior to the commencement of the competition, i.e. on 01st April, 2016. The teams are, in this regard mandatorily comply with **Annexure-B** of the Rules.

The structure of the competition is classified as herein under mentioned:

- 1. The Preliminary Rounds**
- 2. The Quarter Final Rounds**
- 3. The Semi Final Rounds**
- 4. The Final Round**

Note: All rounds, as mentioned above, shall be on the basis of **Knock-Out**.

Sec. (15) Preliminary Rounds

Sec. (15)(1) The Preliminary rounds shall comprise of Two Rounds of oral arguments subject to the allotment of team codes. In the preliminary rounds, each team shall have to argue twice, once as a petitioner and the other as a respondent. The preliminary rounds shall take place on **2nd April, 2016**, immediately after the completion of the Inauguration Function that is 11 a.m. sharp. The teams shall be escorted to their respective court rooms on the basis of their draw of lots. The *draw of lots* shall be done in presence of all the participating team on **01st April, 2016** by the Moot Court Committee, after the Researcher Test.

Sec. (15) (2) Once the team code and *draw of lots* is been disclosed to the teams, it shall be the duty of the respective teams as not to disclose their identity. The

draw of lots shall comprise of informing the teams as to against which team they would be arguing in the preliminary rounds. On the same day i.e **01st April, 2016** the “**Researcher Test**” shall take place at **6 P.M.** Only the Researcher, as indicated in the team registration, shall take the researcher test, the speaker can only take the researcher test if the team comprises of two speakers only.

Note: No two Teams will argue against each other more than once in the Preliminary Rounds.

Sec. (15)(3) The winners of the preliminary rounds shall, i.e. total eight teams (8 teams) shall qualify for the *Quarter Final* Rounds. The Quarter Final Rounds shall take place on **2nd April, 2016**. The Teams qualifying to the Quarter Finals shall be on the basis of Two Rounds of Oral arguments of the Preliminary Rounds.

Sec. 15(4) The *Semi final* rounds shall comprise of Four teams. The Semi Final rounds shall take place on **3rd April, 2016**. The winner of the Quarter final rounds shall be declared qualified for the Semi Final Rounds.

Sec. 15 (5) The *Final Rounds* shall take place on **3rd April, 2016**. The two teams who stand declared as winners of the Semi Final Rounds shall qualify for the Final Rounds.

Proviso: In case of evaluation of All Rounds the Memorial Marks ***shall not*** be included to decide the merit.

Proviso: In case a **tie** takes place in the Quarter Final, Semi Final or Final Rounds, in that case, the marks of the Preliminary Rounds shall be the basis for deciding the winner.

However, in the Preliminary Rounds, in case the Round Total of the two teams is the same, the team with higher Memorial marks will be credited with a win.

Sec. 15 (6) **Evaluation and Time Allocation for All Rounds**

- i) Preliminary Rounds: 30 minutes for each team***
- ii) Quarter Final Rounds: 45 minutes for each team***
- iii) Semi Final Rounds: 45 minutes for each team***

iv) *Final Rounds: 60 minutes for each team*

PART- IX
TEAM CODING

Sec. (16) The teams, participating in the competition, shall be allotted a *TEAM CODE* subsequent to the conformation of their registration process. It is to be noted, after the allocation of the team code, to the respective teams, shall be subject to strict confidentiality, the violation which may result in the disqualification of such team. The decision of the Moot Court Committee and National Administrator shall be final in this regard.

PART-X
MEMORIAL RULES

Sec.(17)(1) All teams shall submit Memorials from both sides (Plaintiffs and Defendants) .

Sec.(17)(2) **Requirements of the Memorials**

All teams must submit typed Memorials for both the sides fulfilling the following specifications: The Memorial must contain the following parts:

- a. Cover Page
- b. Table of Contents.
- c. Index of Authorities.
- d. Statement of Jurisdiction.
- e. Statement of Facts.
- f. Issues Involved.
- g. Summary of Arguments.
- h. Body of Arguments/ Arguments Advanced.
- i. Prayer

Sec.(17)(3) The Memorial Cover Page should follow the following colour scheme - Blue for the Plaintiff and Red for the Defendant. Use of decorative cover pages will attract negative marking. The teams are advised to use as far as possible light shades for their cover pages. The Cover page should contain the team code in the top right hand corner followed by the letter ‘P’ indicating a Plaintiff memorial or the letter ‘D’ indicating a Defendant memorial.

Sec.(17)(4) The Statement of Facts shall not be argumentative. Any argumentative Statement of Facts will attract negative marking. It may

however seek to draw necessary inferences from the Facts provided. The Statement of Facts shall not contain any footnotes.

Sec.(17)(5) The Summary of the Arguments should consist of a substantive summary of the Arguments of the Memorial, rather than a simple reproduction of the headings contained in the Arguments. The Summary of Arguments should not contain footnotes.

Sec.(17)(6) **Length of the Memorial**

a) The Statement of Facts shall not be more than 1200 words including headings.

b) The Summary of Arguments shall not be more than 1200 words including headings.

c) The Body of Arguments/ Arguments Advanced shall not be more than 9000 words including all headings, footnotes, headers and footers.

Sec.(17)(7) The Memorials should be typed on ‘.doc’ documents compatible with Microsoft Word 2003 (or higher) only. The page size should be A4; Font shall be ‘Times New Roman’ throughout the document with font size 12 (including headings), 1.5 lines spacing & 1 Inch margin on each side; Footnotes shall be in ‘Times New Roman’ with Font Size 10 and 1.0 spacing. The Participants may use uniform page borders.

Sec.(17)(8) The Memorials shall use *The Bluebook: A Uniform System of Citation*, on for formatting of all cited authorities.

Sec.(17)(9) The Memorial should be spiral bound only. Any other form of binding will attract negative marking.

Sec.(17)(10) No amendment of the Memorials will be permitted after submission.

Sec.(17)(11) The identity of the team (except the Team Code) or the names of the participants shall not be disclosed in any part of memorials. Doing so attracts disqualification straight away.

Sec.(17)(12) **Marking criteria for the Memorials**

Each Memorial will be marked out of a total of 100 marks. There will be separate marking for the Plaintiff and Defendant Memorials. The following will be the Marking Criteria and the allocation of marks to each category:

S. No.	Marking Criteria	Marks Allocated
1.	Use of Facts and Law	20
2.	Proper & Articulate Analysis	20
3.	Research	20
4.	Formatting and Citation	20
5.	Organisation of the Memorial	10
6.	Grammar and Style	10
		Total <u>100</u>

Sec.(18)**Submission of Memorials**

Sec.(18)(1) The teams should e-mail one copy of both Memorials attached independently in the same mail to mcclawschool.bhu@gmail.com or before **23:59 hours,03rdMarch, 2016**. The soft copy should be in ‘.doc’ format only and should be compatible with Microsoft Word 2003 (or higher). The file name should be the Team code followed by the letters ‘P’ or ‘D’ depending on which side the memorial is from.

For e.g., if the memorial belongs to Team 1234 and is a Defendant memorial, the file name should be 1234D.

Sec.(18)(2) Four hard copies of each memorial shall be submitted to the college via courier or R.P.A.D on or before **10th March, 2016**.

PART-XI **AWARDS**

Sec. (19) The competition embraces following awards:

[i] ***Winners Trophy***

[ii] ***Runners-Up Trophy***

[iii] ***Best Memorial***

[iv] ***Best Researcher***

[v] ***Best Speaker*** i.e. Male and Female both.

The National Administrator & Moot Court Committee may also grant any other Prize/Awards to any participants/teams in the competition.

PART- XII

GENERAL CLAUSES

Sec.20 (1)The “Competition” means Mahamana Malaviya National Moot Court Competition, April, 2016.

Sec. 20(2) “Competition Rules” shall mean and refer to the official rules of the competition formulated by the MCC (The rules can be amended form time to time).

Sec. 20 (3) “Clarification” means any clarification, regarding the competition shall be subject to the clarification by the moot court committee OR the National Administrator.

Sec. 20 (4) “MCC” means Moot Court Committee.

Sec. 20 (5) “National Administrator” means The Dean, Law School, Banaras Hindu University,

Sec. 20(6) “School” means Law School, Banaras Hindu University, Varanasi.

Sec. 20 (7) “Rebuttals” shall mean and refer to the set of arguments/challenges that a petitioner shall raise, at the end of the main pleadings, of the counsels for the respondent. This shall be replied to, in the appropriate manner, by the respondent.

Sec. 20 (8) “Unfair Means” means any participant/teams violating any of the provisions of the competition rules shall be deemed to be disqualified.

ANNEXURE-A
Registration form
(Please fill in capital letters)
Undertaking

1. We hereby state that our participation complies with the rules and regulations of the competition.

2. We Certify that the materials submitted/to be submitted are prepared by us and agree to indemnify the organizers, i.e. Law Faculty, Banaras Hindu University for any claim or dispute arising out of the further use and exhibition of these materials.

(All particulars must be given)

Name of the Institution:

Email:

Phone:

Seal & Signature

Head of the Institution

Name of the team members

Signature

Speaker No. 1.

1. Speaker No. 1.

2. Speaker No. 2.

3. Researcher

Complete form shall reach the administrator in hard copy by **25th February 2016**.

The scanned copy of the form and the demand draft shall reach through email by **20th February 2016**.

At e-mail: mcclawschool.bhu@gmail.com in reference to Mahamana Malaviya National Moot Court Competition, 2016.

Postal address: Law school, Banaras Hindu University, Varanasi, Uttar Pradesh. 221005.

ANNEXURE-B

