

BROCHURE



RNB Global University

**RNB GLOBAL CITY, GANGANAGAR ROAD, BIKANER,
RAJASTHAN PIN-334601**

**2nd RNBGU NATIONAL MOOT COURT
COMPETITION**

[FROM 1st NOVEMBER TO 3rd NOVEMBER 2018]

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Awards

Winner Team: Rs. 21, 000 + Trophy + Certificate

Runner Up Team: Rs. 11, 000 + Trophy + Certificate

Best Memorial: Rs. 5100

Best Researcher: Rs. 2100 + Trophy + Certificate

Best Speaker: Rs. 2100 + Trophy + Certificate

Participation Certificate to every participant.

**Facilities of food & accommodation will be provided
to all team participants.**

2nd RNBGU National Moot Court Competition, 2018

INVITATION

Dear Sir/Madam

Subject: Invitation to participate in 2nd RNBGU National Moot Court Competition, 2018

The School of Law of the RNB Global University, Bikaner [Rajasthan] proudly announces **2nd RNBGU National Moot Court Competition, 2018**, a Three Days' Moot Court Competition, to be held from **1st to 3rd November, 2018.**

RNB Global University, Bikaner is established vide Act No. 20 of 2015 in the State of Rajasthan. The University is spread on a vast well developed campus and offers courses in various disciplines having all modern facilities. **The School of Law of RNB Global University** started in 2016 and has Five Years Law Degree Courses of B.A., LL.B. and BBA, LL.B. The teacher-student ratio at present is 1: 6. The curriculum for the courses fulfils the requirements of BCI and in compliance with other competitions, like-RJS and Civil services etc.

We strive to provide a platform to the Law Students, on-roll in any Law Institute/ College/University/Faculty/Department situated within the State of Rajasthan & all over India for imbibing in them the pragmatic skills of law. This Moot Court is one such attempt of creating a simulated atmosphere for the future lawyers and judicial officers. The objective, in fact, is to allow the Law Students to delve into intricacies of the given field of law and to provide a real life experience cum training in doing cutting edge research, presenting ground breaking arguments and contributing to the development of jurisprudence in concerned areas of law.

We would be glad to receive a positive response about your participation to the email ID: MCCRNB@RNBGLOBAL.EDU.IN

The last date for registration is 8th October, 2018 and you are requested to send the soft copy of Registration form along with the travel plan and proof of Registration fee.

Thanking You
With Warm regards,

Prof. (Dr.) G. S. Karkara
Dean, School of Law

Mr Ashok Prem
Convener

2nd RNBGU National Moot Court Competition, 2018

1. Aims and Objectives

With a successful State Level Moot Court Competition held last year in November 2017, looking to the demand of law centres in the country, RNBGU has undertaken to organise a RNBGU National Moot Court Competition. A legal problem facing the country at present has been made a subject to increase the legal acumen of the student of Law. A further objective is to sharpen the academic and professional excellence in the law students. The rights of the citizens of India and the spirit to protect the national interests by moving the judicial tribunals would develop in the legal fraternity. The competition also aims to provide an opportunity for law students to exhibit their skill, increase legal awareness and the skills of advocacy.

2. Schedule

EVENT	DATE
LAST DATE OF RECEIPT OF REGISTRATION FORM AND FEES	08 OCTOBER 2018
LAST DATE OF SUBMITTING SOFT COPY OF MEMORIALS	15 OCTOBER 2018
LAST DATE TO RECEIVE HARD COPIES OF MEMORIALS AT RNBGU	22 OCTOBER 2018
DATES OF EVENT	1st NOVEMBER TO 3 rd NOVEMBER, 2018

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3. Moot Proposition

In a Sovereign Democratic country of Kingondom, an event happened about 100 years ago which altered permanently the whole feature of one of its province Jangasam and destroyed the whole structure of Jangasamese culture and civilization. There has been an invasion of a vast horde of land-hungry immigrants mostly Muslims, from the districts of an adjoining Topdum, another Province of Kingondom. To cope with the situation the Government of Kingondom enacted a Foreigners Act of 1946 under which the burden of proving whether a person is or is not a foreigner lies upon such person.

Thereafter, about 70 years ago, the State of Kingondom was partitioned into two independent sovereign States, one South Kingondom and the other North Kingondom. Topdum, earlier a Province of Kingondom now is a part of North Kingondom.

A new Constitution came into force in South Kingondom. After the commencement of this Constitution of South Kingondom, under Article 35 it stated that every person who has his domicile in the territory of South Kingondom and who was either born in the territory of South Kingondom; or either of whose parents were born in the territory of South Kingondom; or who has been ordinarily resident in the territory of South Kingondom for not less than 5 years immediately preceding such commencement shall be a citizen of South Kingondom. As an exception, Article 36 of the Constitution of South Kingondom, states as follows:

"Rights of citizenship of certain persons who have migrated to South Kingondom from North Kingondom. --Notwithstanding anything in Article 35, a person who has migrated to the territory of South Kingondom from the territory now included in North Kingondom shall be deemed to be a citizen of South Kingondom at the commencement of this Constitution if—

(a) he or either of his parents or any of his grand-parents was born in Kingondom; and

(b)(i) in the case where such person has so migrated before the nineteenth day of July, 1948, he has been ordinarily resident in the territory of South Kingondom since the date of his migration, or

(ii) in the case where such person has so migrated on or after the nineteenth day of July, 1948, he has been registered as a citizen of South Kingondom by an officer appointed in that behalf by the Government of the South Kingondom on an application made by him therefor, to such officer before the commencement of this Constitution in the form and manner prescribed by that Government:

Provided that no person shall be so registered unless he has been resident in the territory of South Kingondom or at least six months immediately preceding the date of his application."

19th July, 1948, therefore, became the baseline for such persons as were referred to in Article 36 for being citizens of South Kingondom.

At this stage, the Immigrants (Expulsion from Jangasam), Act 1950 was enacted by South Kingondom to protect the indigenous inhabitants of its province Jangasam. The statement of objects and reasons of this Act says "during the last few months a serious situation had arisen from the immigration of a very large number of North Kingondom residents into Jangasam. Such large migration is disturbing the economy of the province, besides giving rise to a serious law and order problem. The bill seeks to confer necessary powers on the Central Government to deal with the situation."

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In pursuance of this object, Sections 22 and 24 of this Act which have a bearing on some of the issues raised in these petitions state as follows:

"22. Power to order expulsion of certain immigrants.-If the Central Government is of opinion that any person or class of persons, having been ordinarily resident in any place outside South Kingondom, has or have, whether before or after the commencement of this Act, come into Jangasam and that the stay of such person or class of persons in Jangasam is detrimental to the interests of the general public of Jangasam or of any section thereof or of any Scheduled Tribe in Jangasam, the Central Government may by order—

(a) direct such person or class of persons to remove himself or themselves from South Kingondom or Jangasam within such time and by such route as may be specified in the order; and

(b) give such further directions in regard to his or their removal from South Kingondom or Jangasam as it may consider necessary or expedient; Provided that nothing in this section shall apply to any person who on account of civil disturbances or the fear of such disturbances in any area now forming part of North Kingondom has been displaced from or has left his place of residence in such area and who has been subsequently residing in Jangasam.

24. Power to give effect orders, etc.- Any authority empowered by or in pursuance of the provisions of this Act to exercise any power may, in addition to any other action expressly provided for in this Act, take or cause to be taken such steps, and use or cause to be used such force, as may in its opinion be reasonably necessary for the effective exercise of such power."

During the census of 1951 in South Kingondom a National Register of Citizens was prepared under a directive of the Ministry of Home Affairs containing information village-wise of each and every person enumerated therein. Details such as the number and names of persons, the houses or holdings belonging to them, father's name or husband's name, nationality, age, the means of livelihood were all indicated therein.

Between 1948 and 1971, there were large scale migrations from North Kingondom to Jangasam, a province of South Kingondom. Given the continuing influx of illegal migrants from North Kingondom into Jangasam, the Parliament of South Kingondom enacted the Illegal Migrants (Determination by Tribunal) 1983. This Act was made applicable only to Jangasam and was expected to be a measure which speeded up the determination of illegal migrants in the State of Jangasam with a view to their deportation.

The Parliament of South Kingondom inserted a new section 6A in its Citizenship Act in 1985. Section 6A states as follows:

"6A. Special provisions as to citizenship of persons in Jangasam. -(1) For the purposes of this section-

(a) "*Jangasam*" means the territories included in the State of Jangasam immediately before the commencement of the Citizenship Act, 1985;

(b) "*detected to be a foreigner*" means detected to be a foreigner in accordance with the provisions of the Foreigners Act, 1946 and the Foreigners (Tribunals) Order, 1964 by a Tribunal constituted under the said Order;

(c) "*specified territory*" means the territories included in North Kingondom immediately before the commencement of the Citizenship (Amendment) Act, 1985;

(d) a person shall be deemed to be of South Kingondom origin, if he, or either of his parents or any of his grandparents was born in undivided Kingondom;

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(e) a person shall be deemed to have been detected to be a foreigner on the date on which a Tribunal constituted under the Foreigners (Tribunals) Order, 1964 submits its opinion to the effect that he is a foreigner to the officer or authority concerned.

(2) Subject to the provisions of sub-sections (6) and (7), all persons of Kingdome origin who came before the 1st day of January, 1966 to Jangasam from the specified territory (including such of those whose names were included in the electoral rolls used for the purposes of the General Election to the House of the People held in 1967) and who have been ordinarily resident in Jangasam since the dates of their entry into Jangasam shall be deemed to be citizens of South Kingdome as from the 1st day of January, 1966.

(3) Subject to the provisions of sub-sections (6) and (7), every person of Kingdome origin who-

(a) came to Jangasam on or after the 1st day of January, 1966 but before the 25th day of March, 1971 from the specified territory; and

(b) has, since the date of his entry into Jangasam, been ordinarily resident in Jangasam; and

(c) has been detected to be a foreigner, shall register himself in accordance with the rules made by the Central Government in this behalf under section 18 with such authority (hereafter in this sub-section referred to as the registering authority) as may be specified in such rules and if his name is included in any electoral roll for any Assembly or Parliamentary constituency in force on the date of such detection, his name shall be deleted therefrom.

Explanation.-In the case of every person seeking registration under this sub-section, the opinion of the Tribunal constituted under the Foreigners (Tribunals) Order, 1964 holding such person to be a foreigner, shall be deemed to be sufficient proof of the requirement under clause (c) of this sub-section and if any question arises as to whether such person complies with any other requirement under this sub-section, the registering authority shall,-

(i) if such opinion contains a finding with respect to such other requirement, decide the question in conformity with such finding;

(ii) if such opinion does not contain a finding with respect to such other requirement, refer the question to a Tribunal constituted under the said Order having jurisdiction in accordance with such rules as the Central Government may make in this behalf under section 18 and decide the question in conformity with the opinion received on such reference.

(4) A person registered under sub-section (3) shall have, as from the date on which he has been detected to be a foreigner and till the expiry of a period of ten years from that date, the same rights and obligations as a citizen of South Kingdome (including the right to obtain a passport under the Passport Act, 1967 (15 of 1967) and the obligations connected therewith), but shall not be entitled to have his name included in any electoral roll for any Assembly or Parliamentary constituency at any time before the expiry of the said period of ten years.

(5) A person registered under sub-section (3) shall be deemed to be a citizen of South Kingdome for all purposes as from the date of expiry of a period of ten years from the date on which he has been detected to be a foreigner.

(6) Without prejudice to the provisions of section 8,-

(a) if any person referred to in sub-section (2) submits in the prescribed manner and form and to the prescribed authority within sixty

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days from the date of commencement of the Citizenship (Amendment), 1985, for year a declaration that he does not wish to be a citizen of South Kingondom, such person shall not be deemed to have become a citizen of South Kingondom under that sub- section;

(b) If any person referred to in sub-section (3) submits in the prescribed manner and form and to the prescribed authority within sixty days from the date of commencement the Citizenship (Amendment), 1985, for year or from the date on which he has been detected to be a foreigner, whichever is later, a declaration that he does not wish to be governed by the provisions of that sub-section and sub-sections (4) and (5), it shall not be necessary for such person to register himself under sub-section (3).

Explanation.-Where a person required to file a declaration under this sub-section does not have the capacity to enter into a contract, such declaration may be filed on his behalf by any person competent under the law for the time being in force to act on his behalf.

(7) Nothing in sub-sections (2) to (6) shall apply in relation to any person-

(a) who, immediately before the commencement of the Citizenship (Amendment), 1985, for year is a citizen of South Kingondom;

(b) who was expelled from South Kingondom before the commencement of the Citizenship (Amendment), 1985, for year under the Foreigners Act, 1946 (31 of 1946).

(8) Save as otherwise expressly provided in this section, the provisions of this section shall have effect notwithstanding anything contained in any other law for the time being in force."

Thus the dangerous consequences of large scale illegal migration from North Kingondom, both for the people of Jangasam and more for the Nation as a whole, was required to be empathetically stressed. As a result of population movement from North Kingondom, the spectre loomed large of the indigenous people of Jangasam being reduced to a minority in their home state. Their cultural survival was in jeopardy, their political control was weakened and their employment opportunities were undermined.

The silent and invidious demographic invasion of Jangasam resulted in the loss of the geo-strategically vital districts of lower Jangasam. The influx of illegal migrants was turning these districts into a Muslim majority region. It was felt that it will then only be a matter of time when a demand for their merger with North Kingondom may be made. The rapid growth of international Islamic fundamentalism may provide the driving force for this demand. Loss of lower Jangasam will severe the entire land mass of the North East, from the rest of South Kingondom and the rich natural resources of that region will be lost to the Nation.

It was in this backdrop that a writ petition was filed by a citizen of South Kingondom assailing the Constitutional validity of "The Illegal Migrants (Determination by Tribunals) Act, 1983" and the rules made thereunder.

In a judgment the Supreme Court of South Kingondom referred to the huge influx of illegal migrants into the State of Jangasam and came to the conclusion that the 1983 Act and the rules made thereunder operated in the reverse direction i.e. instead of seeing that illegal migrants are deported, it did the opposite by placing the burden of proof on the State to prove that a person happens to be an illegal migrant. The Court went on to hold that Article 355 of the Constitution had been violated, in as much as the Union had failed to protect the State of Jangasam against the external aggression and internal disturbance caused by the huge influx of illegal migrants from North Kingondom to Jangasam and went on to hold the 1983 Act to be violative of Article 14 as well. In as much as this Act was struck down, the Immigrants (Expulsion from Jangasam) Act, 1950 together with the Foreigners Act and the Foreigners

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Tribunal Order of 1964 were now to be the tools in the hands of Government to do the job of detecting illegal migrants who were then to be deported.

Given the magnitude of the problem, a Foreigners (Tribunals for Jangasam) Order of 2006 was promulgated which was again struck down on the petition of the same citizen by the Supreme Court of South Kingondom being found to be unreasonable and arbitrary and which instead of expeditiously discovering illegal migrants and deporting them, again did the opposite.

In the year 2012 and in 2014 large scale riots took place in Jangasam resulting in the deaths of a large number of persons. It is in this background that the present writ petition was filed.

Following prayers are made in the writ petition:

- a) "a writ in the nature of Certiorari or any other appropriate writ(s), order(s) or direction(s) declaring Section 6A of the Citizenship Act, 1955 as discriminatory, arbitrary and illegal and consequently striking down the impugned provision as ultra-vires the Constitution of South Kingondom;
- b) a writ in the nature of Mandamus or any other appropriate writ(s), order(s) or direction(s) directing the respondent no.1 and 3 not to update the National Register of Citizens with respect to the State of Jangasam by taking into account the electoral rolls prior to March 24th (midnight) 1971;
- c) a writ in the nature of Mandamus or any other appropriate writ(s), order(s) or direction(s) directing the respondent no 1 and 3 to update the National Register of Citizens with respect to the State of Jangasam relying only on the details incorporated in the National Register of Citizens prepared in 1951 ;
- d) a writ in the nature of Mandamus or any other appropriate writ(s), order(s) or direction(s) directing the respondents to treat 1951 as the base year for the purpose of detection and deportation of illegal immigrants in the State of Jangasam;
- e) a writ in the nature of Mandamus or any other appropriate writ(s), order(s) or direction(s) directing the respondents no 1 and 2 to immediately take effective steps towards ensuring the deportation of the illegal immigrants from the territory of South Kingondom;
- f) Issue Rule Nisi in terms of prayers (a), (b), (c), (d) and (e) above;
- g) Pass such other further or other writ, orders or directions as your Lordships may deem fit and proper in the facts and circumstances of the instant case."

A preliminary submission was urged by the Solicitor General of South Kingondom that Section 6A having been enacted in 1985, a challenge made in 2012 would be barred by delay and laches.

Issues before the Supreme Court of South Kingondom are:

1. Whether challenge to the constitutional validity of Section 6A of the Citizenship (Amendment) Act, 1985 having been enacted in 1985 is barred by delay and laches?
2. When the sovereignty and integrity of South Kingondom is itself at stake as a massive influx of illegal migrants from a neighboring country has affected this core Constitutional value, the pleas under Articles 21 and 29 of the Constitution, of a whole class of people, namely, the tribal and non-tribal citizens of Jangasam and given the fact that agitations on this core are ongoing, whether the petitions can be dismissed at the threshold on the ground of delay/laches?
3. Whether Section 6A of the Citizenship (Amendment) Act, 1985 violates Articles 325 and 326 of the Constitution of South Kingondom in that it has diluted the political rights of the citizens of the State of Jangasam;
4. What is the scope of the fundamental right contained in Article 29(1) of the Constitution of South Kingondom? Is the fundamental right absolute in its terms? In particular, what

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- is the meaning of the expression "culture" and the expression "conserve"? Whether Section 6A of the Citizenship (Amendment) Act, 1985 violates Article 29(1)?
5. Whether there is a necessity of issuing appropriate directions to the Union of South Kingdom and the State of Jangasam to ensure that effective steps are taken to prevent illegal access to the country from North Kingdom; to detect foreigners belonging to the stream of 1.1.1966 to 24.3.1971 so as to give effect to the provisions of Section 6(3) & (4) of the Citizenship Act and to detect and deport all illegal migrants who have come to the State of Jangasam after 25.3.1971?
 6. What should be the mechanism of deportation of illegal migrants after they are detected to be illegal migrants?

This Moot proposition has been formulated solely for the purpose of this competition for furthering the academic exercise.

4. Relevant provisions of the Constitution of South Kingondom

Article 14.- “The State shall not deny to any person equality before the law or the equal protection of the laws within the territory of India.”

Article 21. “No person shall be deprived of his life or personal liberty except according to procedure established by law.”

Article 29.- Protection of interests of minorities.-(1) Any section of the citizens residing in the territory of India or any part thereof having a distinct language, script or culture of its own shall have the right to conserve the same

(2) No citizen shall be denied admission into any educational institution maintained by the State or receiving aid out of State funds on grounds only of religion, race, caste, language or any of them

Article 325.- No person to be ineligible for inclusion in, or to claim to be included in a special, electoral roll on grounds of religion, race, caste or sex There shall be one general electoral roll for every territorial constituency for election to either House of Parliament or to the House or either House of the Legislature of a State and no person shall be ineligible for inclusion in any such roll or claim to be included in any special electoral roll for any such constituency on grounds only of religion, race, caste, sex or any of them.

Article 326.- Elections to the House of the People and to the Legislative Assemblies of States to be on the basis of adult suffrage The elections to the House of the People and to the Legislative Assembly of every State shall be on the basis of adult suffrage; but is to say, every person who is a citizen of India and who is not less than twenty one years of age on such date as may be fixed in that behalf by or under any law made by the appropriate legislature and is not otherwise disqualified under this constitution or any law made by the appropriate Legislature on the ground of non residence, unsoundness of mind, crime or corrupt or illegal practice, shall be entitled to be registered as a voter at any such election

Article 355.- Duty of the Union to protect States against external aggression and internal disturbance It shall be the duty of the Union to protect every State against external aggression and internal disturbance and to ensure that the government of every State is carried on in accordance with the provisions of this Constitution.

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5.2. Particulars of Team Members

1. SPEAKER 1

NAME

YEAR/SEMESTER

CONTACT

EMAIL ID

SIGNATURE

Latest
Photograph

Attested by
the Head of
the Institution

2. SPEAKER 2

NAME

YEAR/SEMESTER

CONTACT

EMAIL ID

SIGNATURE

Latest
Photograph

Attested by
the Head of
the Institution

3. RESEARCHER

NAME

YEAR/SEMESTER

CONTACT

EMAIL ID

SIGNATURE

Latest
Photograph

Attested by
the Head of
the Institution

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5.3. Payment details

(Demand draft drawn in favour of "RNB Global University" payable at Bikaner)

MODE OF PAYMENT (Tick Mark) DD NEFT RTGS OTHER

IF OTHER (Please Specify)

DD/NEFT/RTGS NUMBER

BANK DETAIL

BRANCH

DATE

SEAL AND SIGNATURE OF HEAD OF THE INSTITUTION

Bank Details for payment of registration fees

Name of A/c Holder: RNB GLOBAL UNIVERSITY, payable at Bikaner,

A/c No: 61276471798, Bank: SBI, IFSC Code: SBIN0031725

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5.4. Travel Details

5.4.1. Arrival Details

DATE OF ARRIVAL TIME

MODE OF ARRIVAL (Tick Mark) FLIGHT TRAIN BUS

FLIGHT/TRAIN/BUS NAME

FLIGHT/TRAIN/BUS NUMBER

PLACE OF ARRIVAL (Tick Mark) AIRPORT RLY STN BUS STAND

WHETHER ACCOMMODATION REQUIRED (Tick Mark) YES NO

5.4.2. Departure details

DATE OF DEPARTURE TIME

MODE OF DEPARTURE (Tick Mark) FLIGHT TRAIN BUS

FLIGHT/TRAIN/BUS NAME

FLIGHT/TRAIN/BUS NUMBER

PLACE OF DEPARTURE (Tick Mark) AIRPORT RLY STN BUS STAND

SEAL AND SIGNATURE OF HEAD OF THE INSTITUTION

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5.5. Undertaking

I/WE do hereby declare that I/we have read and understood all the above-mentioned information and agree to:

- Maintain proper discipline during the competition;
- Abide by all the rules, regulations and marking criteria;
- Bind ourselves in considering the decision of judges as final in matter of evaluation.

SEAL AND SIGNATURE OF HEAD OF THE INSTITUTION

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6. Rules & Regulations

I. Aims and Objective

The principal objective of the 2nd RNBGU National Moot Court Competition, 2018 is to provide a real-life experience cum training in doing cutting edge research and to give exposure to student pursuing the law course to the environment of the court system in India and enhance their advocacy skills by presenting ground breaking arguments.

II. Date and Venue

The 2nd RNBGU National Moot Court Competition, 2018 will be held from 1st November to 3rd November 2018 at RNB Global University, RNB Global City, Ganganagar Road, Bikaner, Rajasthan - 334601

III. DRESS CODE

Inside the Court Room the participants shall be in Formal Attire:

Girls: White Salwar Kurta or Black Pant and White Shirt with Black Tie along with Black Shoes and Black Blazer

Boys: White Shirt, Black Trousers with Tie, Black Blazers and Black Shoes

IV. Language

The language for the Moot Court Competition shall be English only.

V. Eligibility

Each law college / University in India shall be eligible to send one team of its regular students. The competition is open for bonafide students pursuing three year LL.B. or five year integrated law course and they must carry their ID cards and all other necessary documents to justify their eligibility.

VI. TEAM COMPOSITION

- a. Each team shall consist of a maximum 3 members out of which two members shall be speaker and one researcher. Teams shall specify such counsels with their orders and Researchers at the time of registration and this cannot be changed later during the time of competition.
- b. Each team shall be provided with a team code by draw of lots followed by exchange of memorials.
- c. Team should not disclose their identity of the institutions in course of proceedings of court room. Such disclosure be a disqualification.

VII. ROUNDS

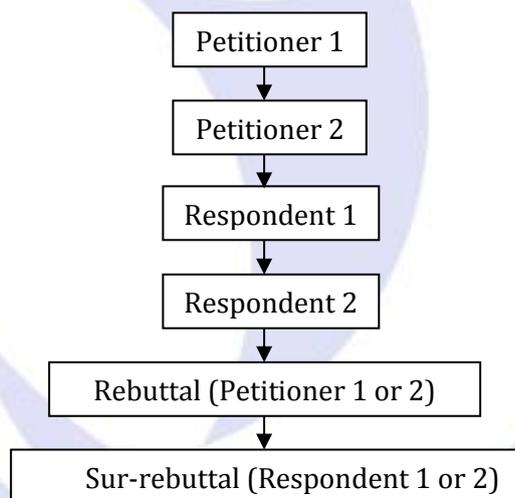
- a. The Rounds will be held in three stages, that is Preliminary, Semi-Final and Final.
- b. The side to be represented (petitioner/respondent) shall be decided by draw of lots at different Stages during the competition
- c. Orientation and draw of lots will be on 1st November 2018.

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- d. On 1st November 2018 at 10 AM there will be the inauguration followed by the preliminary rounds.
- e. Top 4 teams will qualify to the semi- finals which will be held on 2nd November 2018.
- f. The qualification to the knockout stage (Semi- Finals) will be based on the win points. In case of tie, teams with the highest aggregate of scores in the preliminaries (Inclusive of Memorial) will qualify to the Semi- Finals.
- g. The Semi Final will be a knock-out round which will be evaluated only on the basis of oral arguments.
- h. The Final will be held on 3rd November 2018.

VIII. ORAL ROUNDS

- a. In each oral round a team will be represented by two speakers who will present arguments. The researcher will not participate in the argument but will be seated along with the speaker during argument.
- b. Passing of any notes (oral or written) to the speaker by researcher is permitted to the minimal extent. However, for doing so the Court mannerism must be followed. Otherwise, there will be negative marking for the same.
- c. The order of the pleadings in each Round at all levels of the Competition shall be:



Preliminary Round

- a. Each team will get Thirty (30) minutes to present their case including rebuttals and Sur-rebuttals. *The time excludes questioning by judges.*
- b. The division of time is at the discretion of the team members, subject to maximum of 18 Minutes per speaker. The division of time must be informed to the court officers/ clerks before the beginning of rounds.
- c. Oral rounds need not to be confined to the issue presented in the memorial.
- d. The Team member delivering rebuttal or sur-rebuttal must be one of the two team members who argued during the team's main argument, the team need not indicate prior to rebuttal or sur- rebuttal which of its two eligible members will offer rebuttal or sur- rebuttal.
- e. A team's oral pleadings shall not in any way be limited to the scope of the team's memorial. The scope of the Petitioner's rebuttal shall be limited to responding to the Respondent's primary oral pleadings, and the scope of the Respondent's sur-rebuttal

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shall be limited to responding to the Petitioner's rebuttal. If the Petitioner waives the rebuttal, there shall be no sur-rebuttal. No legal issues which were not addressed in the primary pleadings may be raised in the rebuttal or sur-rebuttal.

Semi- Final Round

- a. Each team will get Forty five (45) minutes to present their case including rebuttals and sur-rebuttals. *The time excludes questioning by judges.*
- b. The division of time is at the discretion of the team members, subject to maximum of 25 Minutes per speaker. The division of time must be informed to the court officers/ clerks before the beginning of rounds.

Rest of the rules for this round will be same as of the preliminary round.

Final Round

- a. Each team will get Forty-five (45) minutes to present their case including rebuttals and sur-rebuttals. *The time excludes questioning by judges.*
- b. The division of time is at the discretion of the team members, subject to maximum of 25 Minutes per speaker. The division of time must be informed to the court officers/ clerks before the beginning of rounds.
- c. Oral round need not to be confined to the issue presented in the memorial.
- d. Rest of the rules for this round will be same as of the semi- final round.

IX. REGISTRATION

a. Registration Fee-

- (i) **Rs. 3000 (Rupees three thousand only): With accommodation during the period of competition, food, pick up & drop from airport/Railway station /Bus stand, and any other facility provided by the university, to its discretion.**
- (ii) **Rs. 1000 (Rupees one thousand): without accommodation.**
- b. The registration fees can be paid through Demand draft or online. The draft should be drawn in the favour of RNB GLOBAL UNIVERSITY Payable at BIKANER. Registration fees can also be deposited online in the account of university. Account detail is -
**Name of A/c Holder: RNB GLOBAL UNIVERSITY, payable at Bikaner,
A/c No: 61276471798, Bank: SBI, IFSC Code: SBIN0031725**
- c. The registration form completed with all team details must be submitted online and also sent to the RNB Global university on or before 8 October 2018.
- d. Teams shall post the hard copies of the filled registration form along with the original draft by 22 October 2018 to Registrar, RNB Global University, RNB Global City, Ganganagar Road, Bikaner, Rajasthan 334601
- e. No subsequent change in the team composition shall be permitted unless any unavoidable circumstance demand so.
- f. We have planned to entertain a maximum of 16 teams only. In case the number of participating teams falls lesser than 8, the Moot Court Competition may not be held, and in such an event, the registration fee of all the registered teams will be returned. Decision in this regard is the sole prerogative of the Organizing Committee.

X. CODE OF CONDUCT

- a. Each team will be designated a team code after the registration.

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- b. Teams shall not disclose their identity or name of their institution or city etc.
- c. Such disclosure shall invite penalties including disqualification. The decision for the same shall be at the discretion of the Organizing Committee.
- d. All participants are expected to maintain the decorum in the Court during the competition and are expected to conduct themselves in a manner befitting the legal profession.

XI. MEMORIALS

- a. Each team must prepare memorials from both the sides to the case.
- b. Once the memorials have been submitted, no revision, supplements or addition will be allowed.
- c. Hard copy of the memorials from both the sides must be sent through the email to MCCRNB@RNBGLOBAL.EDU.IN, latest by 22 October 2018.
- d. Each team shall submit six (6) hard copies of the Memorials, and one copy on CD shall be submitted to the Organizing Committee, of the RNB GLOBAL UNIVERSITY, Bikaner, Rajasthan latest by 22 October 2018.
- e. Late submission of memorial will attract (-1) point penalty for each delay for each memorial.
- f. Memorials have to be submitted on typed A 4 size paper with 1.5 space in 11 point Times new Roman , printed on one side and must contain:
 - Cover Page
 - Table of Contents
 - Index of Authorities
 - Statement of Jurisdiction
 - Statement of Facts (2 page only and submission of argumentative statement of facts will attract penalty)
 - Statement of issues
 - Summary of Arguments
 - Arguments Advanced (15 Page)
 - Prayer
- g. The argument must not exceed fifteen (15) pages.
- h. Memorials should be in **spiral/Hard binding only**. Use of **cellophane/ plastic sheets** will not be allowed.
- i. Page numbering should be at the bottom middle of each page.
- j. Sides must be mentioned in the memorial in the header.
- k. Paper Cover must be placed on brief with relevant information.
- l. The memorial from petitioner's side must be having blue coloured cover page and Red in case of respondents. All hard copies of memorials have to be printed in A4 size paper.
- m. The cover page must state the following
 - Name of the Court
 - Name and year of the Competition
 - Cause Title
 - Identify Brief (i.e. "Memorial for the Appropriate Side of the Case)

XII. CITATION FORMAT

The Memorials shall use *Standard Indian Legal Citation*, for formatting of all cited authorities.

Speaking Footnotes or endnotes are not allowed.

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XIII. DISQUALIFICATION AND PENALTIES

Cheating, Intimidation and Misconduct

- a. Cheating or using of unfair means of any kind is strictly prohibited and if found to be indulged in, shall result in disqualification of the team.
- b. Intimidation in any form is prohibited, and if found to be indulged in, shall result in disqualification of the entire team.
- c. Misconduct, whether behavioural or otherwise, is not allowed, and if found to be indulged in, shall result in disqualification of the entire team.

Court Manners (Oral Arguments)

- a. Any form of communication found to be between the Bar table and any person other than those on the Bench is prohibited, and if indulged in, will result in a penalty point.
- b. Submission of any written material other than the memorials, compendium and any other documents related to the proposition in hand to the Bench prior to, during or after the oral arguments, is not allowed, and if found to be indulged, in will result in a penalty point.
- c. Failure to deliver an oral argument shall be considered to be a disqualification.

XIV. SCOUTING

- a. Speakers, a reserve or persons affiliated with the team, will not be permitted to observe the arguments in any court room in which the team is not one of the contesting teams whilst the team is still in the competition. Scouting by any team will result in disqualification.
- b. Any team can file written complaint with the Organizing Committee, regarding a case of scouting and this committee's decision will be final and binding.
- c. The researcher will be seated with the speakers at the time of arguments and shall not attend the court session of other teams participating in the competition.

XV. MARKING CRITERIA

Oral Round (For Mooters)

The judges would assign marks to each individual speaker out of Hundred (100) marks. The team score would be the average of the total marks for oral presentations of the 2 speakers out of Hundred (100) marks. The following shall be the Marking Criterion and the Marks allocated to each category

1. Knowledge of Law (30)

Excellent (25- 30 pts); Very Good (21- 24 pts); Good (16- 20 pts); Average (10- 15 pts); Poor (Below 10 pts.)

2. Application of Law to Facts (25)

Excellent (21-25 pts); Very Good (18-20 pts); Good (15-17 pts); Average (10- 14 pts); Poor (Below 10 pts.)

3. Ingenuity and Ability to Answer Questions (30)

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Excellent (25- 30 pts); Very Good (21-24 pts); Good (16-20 pts); Average (10- 15 pts); Poor (Below 10 pts.)

4. Style, Poise, Courtesy and Demeanour (10)

Excellent (9- 10 pts); Very Good (7- 8 pts); Good (5 -6 pts); Average (3 -4 pts); Poor (Below 3 pts.)

5. Time Management and Organization (5)

Excellent (5 pts); Very Good (4 pts); Good (3 pts); Average (2 pts); Poor (1 pt.)

For Best Memorial

The memorials shall be assessed by a Committee of Judges and every memorial will be marked out of total Hundred (100) marks and the Team Memorial will have the average total of both the sides (Petitioner/Respondent). The Marking Criteria and the Marks Allocated to each Category are listed:

- Knowledge of facts and law (Max 20pts).
- Presentation and Organization (Max 20pts)
- Depth and use of research (Max 20pts)
- Clarity of thought &Originality (Max 20pts)
- Citation of sources (Max 10pts)
- Grammar and Style (Max 10pts)

For Best Researcher:

Best Researcher will be decided based on following:

- RESEARCHER INTERVIEW
- There will be an interview to select the best and second-best researcher of the moot court competition.
- For the Best and Second-Best Researcher, the judging criteria shall be inclusive of the marks secured for the memorials added to the average of marks they secure during the interview.

XVI. AWARDS

- **Winner Team: Rs. 21,000 + Trophy + Certificate**
- **Runner Up Team: Rs. 11,000 + Trophy + Certificate**
- **Best Memorial: Rs. 5100**
- **Best Speaker: Rs. 1100 + Trophy + Certificate**

Note: The Cheque of the Prize Money of the winning Teams will be sent to the Head of the institution. If Participant teams are less than 16(Sixteen) than the prize money would be reciprocated according to the number of team participated.

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XVII. ANNOUNCEMENT OF RESULTS

- a. The results of the preliminary round shall be announced shortly after the rounds on 1st November 2018.
- b. The results of the Semi- Finals shall be announced shortly after the rounds on 2nd November 2018.
- c. The Winners of the competition will be announced during the Award Ceremony (Valedictory Function) on 3rd November 2018.

XVIII. ANONYMITY

- a. Student counsel may introduce him/herself to the court in the usual manner and may also state their names. However, the team's law college, affiliation may not be mentioned at any time before award ceremony.
- b. Further all team member, coaches, advisors and observers shall refrain from identifying team's school/college at any time in any manner including, but limited to, wearing any identifying items, such as, badges, blazers, or pins carrying identifying material (such as books with college logo or seal)

XIX. COPYRIGHT

- a. The copyright over the memorial submitted for the participation in the competition is assigned by the participant and also vest and fully in the RNB Global University. The participant shall certify in writing the originality of the material contained therein and shall be responsible for any claim or dispute arising out the further use and exhibition of these materials.
- b. Further use and exhibition of these material, electronically or otherwise, shall be the exclusive right of the RNB Global University and they shall not be responsible for any liability to any person for any loss caused by errors or omission in the collection of information, or for accuracy, completeness, or adequacy of the information contained in these materials.
- c. Distribution of these materials on affiliated websites such as RNBGU's Website <https://www.rnbglobal.edu.in/> does not consent to the any use for commercial redistribution either via internet or using some other form of hypertext distribution. Links to the collection or individual pages in it are welcome.

XX. ACCOMMODATION AND FOOD

The team of Three (3) participants shall be provided accommodation by the University for the duration of the competition only (maximum 3 days). Any additional member other than the registered team member shall not be entertained during the competition. In case there is/are any female participant in any team, they will be accommodated in girls hostel. Otherwise, accommodation will be provided on "One Team in One Room" basis.

ALL RIGHTS RESERVED TO THE ORGANIZER