

# KSHAN - 2020

## **15<sup>th</sup> NATIONAL TRIAL AND APPELLATE MOOT COURT COMPETITION**

**13<sup>th</sup> to 15<sup>th</sup> MARCH 2020**

# **RULE BOOK**

In the present National Trial and Appellate Moot Court Competition - 2020, the participants will have to conduct Trial for preliminary round & for the Quarter final. In the Semi-Final & Final Rounds, teams will have to argue the case under the Appellate Jurisdiction on the basis of the judgment passed by the Trial Court.

### **AIM AND PURPOSE**

The **Trial and Appellate Moot Court Competition** aims to promote the trial advocacy skills among budding lawyers and also to understand how the Appellate Court appreciates evidence. It seeks to achieve two fold purpose, one that teams get an exposure on how trial is conducted and other on how the arguments are to be tendered on the basis of evidence recorded.

### **LANGUAGE**

The language to be used throughout the competition shall strictly be **English**.

### **DRESS CODE**

Advocates attire (does not include neckband and gown) i.e. -

1. For Male: Black trouser and black blazer/coat, White Shirt, tie and formal shoes.
2. For Female: Black blazer/coat and black trouser/skirts, white shirt, or Indian wear (Black and White)

### **ELIGIBILITY**

Participants should be currently pursuing their bachelor's degree in law i.e. 3 Year LL.B. Course or 5 Year LL.B. Course.

### **TEAM COMPOSITION**

- a. Each team shall consist of a maximum of 3 members. This number cannot be modified under any circumstances.

- b. There can be 2 speakers and 1 researcher designated for each team.
- c. Teams have the option of designating two of its members to be speakers for the prosecution and the other for the defence. The team shall notify such an arrangement before the commencement of the round to the court assistants. Such a team shall not, during any stage of the competition, rearrange the position of its members to form any new combination.
- d. It is mandatory for the Researcher to appear for the researcher's test. As well, the other two members of the team i.e. Speakers shall compulsorily be a part of the Legal Quiz.
- e. Each team will be provided with a unique team code by "Draw of lots" during the orientation. The identity of the teams shall not be disclosed at any stage, such disclosure shall invite penalties including disqualification. The decision for the same shall be at the discretion of the Administrator.
- f. The Institution has decided to keep a team cap of 24 teams which would be decided on first cum first serve basis, the teams which complete all its formalities first would be allowed to participate. The formalities shall be deemed to be completed only once all the required documents are accepted by the authorities i.e. the Registration form and the DD/Payment Made through online methods.

### VENUE & DATE

- a. The competition would be held from 13<sup>th</sup> to 15<sup>th</sup> March 2020.
- b. The venue of the competition would be G.H. Raison Law College, 345, Shradhha House, Kingsway, Nagpur-440001.

### REGISTRATION

- a. The teams must register themselves by sending the soft copy of the registration form, DD/Receipts of payment made in online manner amounting **Rs. 4500/-** in the name of **G.H. RAISONI LAW COLLEGE** payable at **NAGPUR**, along with the year the student is studying in and the University/ College they are going to represent along with the attestation of the HOD/Principal/Director or Vice-Principal by and the hard copies by 22/02/2020. The

above shall be mailed on [raisonilawschool@gmail.com](mailto:raisonilawschool@gmail.com) having subject as **REGISTRATION- KSHAN 2020**.

- b. Online registrations will be open from 27/01/2020. Participants will receive an acknowledgement cum approval as confirmation of their online registration & participation periodically after registration.
- c. Registrations shall be confirmed only by the registration department of the college and shall be complete once the soft copies of the Registration form along with the DD/Online Payment is received. The form shall be sealed and stamped by the participating college.
- d. The hard copy of the registration form and the demand draft along with the travel details should reach the institution on or before 25/02/2020.
- e. Once registration is done no change in names will be possible. However, in exceptional circumstances if a change in name is inevitable a fresh online registration has to be made along with a scanned copy of the approval letter from the college/institution/university or duly attested registration form clearly explaining the reasons for the change and with authorized signatory & seal of the college/institution / university.

### **ROUNDS**

There will be two Preliminary rounds of arguments followed by Quarter finals, Semi-Finals and a Final round.

#### **A. Preliminary Rounds:-**

- i. There will be two preliminary arguments per team, one for prosecution & the other for defence.
- ii. Each team will face a different bench in their second round of arguments.
- iii. Top eight teams will qualify for the quarter finals.
- iv. Teams will be provided with their opponent's memorial after draw of lots.
- v. Return of the other side's memorial immediately after the preliminary round is compulsory.

#### **B. Quarter Finals:-**

Qualification to the Quarter Final Round will be based on: a)

Win points. This shall be a knockout round.

- b) In case of a tie, teams scoring the highest points.

- c) In case of a tie in the highest points scored, team with higher marks in orals.
- d) Draw of lots/power-matching will decide the competing teams.
- e) The teams will be provided their opponent's memorials after declaration of preliminary results in the evening.

### **C. Semi Finals:-**

1. The winner of each of the quarter final rounds would proceed to the Semi Finals.
2. Draw of lots/power matching will decide the competing teams.

### **D. Final:-**

The winner of each of the Semi Final rounds will compete in the Final which will be held on Sunday i.e. 15<sup>th</sup> March 2020.

## **RECORDING OF EVIDENCE**

The team members should take notes of the question and answers during chief / cross-examinations.

## **MEMORIALS**

The following requirements for memorials must be strictly followed. Nonconformities will be penalised:

- a. Each team must prepare memorials for both parties to the dispute (Appellant & Respondent i.e on the basis of the judgment passed by the trial court).
- b. The briefs shall be consistent with The Criminal Procedure Code 1973. (Revised)
- c. Once the memorials have been submitted, no revisions, supplements, or additions will be allowed.
- d. Six hard copy of Memorials for both (Appellant & Respondent) must reach the host institution **by 4:30 pm on 04/03/2020** for the purpose of evaluation. Late submissions will **result in penalty of 1 point per category (i.e. 1 for Appellant and 1 for Respondent)** per day till **4.30 p.m. on the day of registration/orientation**. In addition to the above, soft copies of the memorials for both sides must be **mailed to [raisonilawschool@gmail.com](mailto:raisonilawschool@gmail.com) by 01/03/2020**.
- e. The memorials have to be submitted (typed) on A 4 size paper printed on one side and must contain:

- The table of contents
  - The index of authorities
  - The statement of jurisdiction
  - The statement of facts (1 page only and submissions of an argumentative statement of facts would attract penalties)
  - The statement of charges
  - The summary of arguments
  - The arguments advanced (15 pages)
  - The prayer
- f. Arguments must not exceed 15 (fifteen) pages. The font size should be 12, Font Style should be Times New Roman and for double-spaced. Footnotes must be in font size 10; Font Style should be Times New Roman. Memorials should be preferably staple bound. Comb/spiral or any other form of binding will be considered improper binding. Using of plastic front sheets /separators is not allowed.
- g. Memorials must have a one inch margin on all sides of each page.
- h. Page numbering should be on the top right side of each page.
- i. Covers must be placed on briefs as follows:  
**Appellant: Blue Colour and Respondent: Red Colour.**
- j. The cover page of Memorials must state the following
- The cause title.
  - Identity of brief as Appellant or Respondent.
- k. Identity of the institution shall not be revealed anywhere in the memorial. Instead code numbers allotted to the students by the host institution should be mentioned. Violation of this provision shall result in penalties including disqualification. The Administrator's decision shall be final.
- m. The teams shall have an option to submit a compendium of not more than 25 pages (printed on both sides), which shall carry all the annexure and case laws that have been referred to in the memorial. The paper book shall have a white cover and 2 copies shall be in possession with the participants & can be passed on to the bench on demand through the court officers. Any identifying marks / seal of



the college on the paper book shall attract severe penalties including disqualification. The submission of this paper book does NOT necessarily entitle the team to any additional marks.

## ORAL ROUNDS

### General Rules

- a. All the witnesses need to be examined compulsorily.
- b. The accused shall be examined under section 313.
- c. The teams are to prepare their respective questionnaire for the accused and submit it to the judges.
- d. Teams should, before the commencement of a round, notify the court officers, as to which of the witnesses they would examine in the course of the trial.

### Preliminary Rounds

- a. The host institution will provide the witnesses. The witnesses will be generally briefed and assigned by the administrator. However each team will have an opportunity to specifically brief their witnesses. The witnesses to be briefed will be assigned to each team 45 minutes prior to the commencement of the respective round.
- b. Each team will get a total of 40+5 minutes to present their case. Every minute of extra time will attract automatic penalties for the speaker crossing the limit.
- c. The rounds would be divided among the following stages/sequence:
  - Opening statement by the prosecution – 5 minutes
  - Opening statement by the defence – 5 minutes
  - Examination in Chief by the prosecution – 10 minutes
  - Cross Examination by the defence – 20 minutes
  - Examination in Chief by the defence – 10 minutes
  - Cross Examination by the prosecution – 20 minutes
  - Closing statement by the prosecution – 5 minutes
  - Closing statement by the defence – 5 minutesThe allotted time for each segment is the maximum that the respective speaker can avail of.
- d. Each of the speakers shall conduct either the chief or the crossexamination and deliver either the opening or closing

- statement. Therefore, each speaker shall compulsorily conduct an examination and deliver either the opening or closing statement.
- e. The order of speakers and the examination and statements they would present, is to be intimated by the teams before the commencement of the rounds and cannot be altered at any subsequent stage.
  - f. The oral arguments need not be confined to issues presented in the memorials.
  - g. Researcher shall be mandatorily questioned and marked.

### Quarter Final

- a. Each team will get a total of 50+10 minutes to present their case.
- b. The **quarter final** round shall be **Trial**.
- c. The Mooters shall divide the time amongst themselves.
- d. This will be a knockout round.
  - Opening statement by the prosecution – 7 minutes
  - Opening statement by the defence – 7 minutes
  - Examination in Chief by the prosecution – 12 minutes
  - Cross Examination by the defence – 24 minutes
  - Examination in Chief by the defence – 12 minutes
  - Cross Examination by the prosecution – 24 minutes
  - Closing statement by the prosecution – 7 minutes
  - Closing statement by the defence – 7 minutes

### Semi-final Rounds

- a. Each team will get a total of 50+10 minutes to present their case.
- b. Rebuttal shall be allowed; the above time is inclusive of ten minutes for the rebuttal.
- c. The Mooters shall divide the time amongst themselves.
- d. This will be a knockout round.
- e. The oral arguments need not be confined to the issues presented in the memorials.

### Final Round

- a. Each team will get a total of 50+10 minutes to present their case.

- b. The oral arguments need not be confined to the issues presented in the memorials.

### SCOUTING

- a. Teams will not be allowed to observe the orals of any other teams. Scouting is strictly prohibited. Scouting by any of the teams will result in disqualification.
- b. Any team can file a written complaint with the Administrator, regarding a case of scouting. The Administrator’s decision will be final.
- c. The researchers shall sit with the speakers at the time of the orals and shall not attend the court sessions of any other team participating in the competition.

### SCORING

Memorials scores will be added to the oral scores obtained by the participants in preliminary rounds only.

#### **A. Orals Parameters for judging (Preliminary and Quarter –Final Rounds)**

**on a scale of 0 – 100 points are:** a. Knowledge of facts

- b. Logic, reasoning and clarity articulate and systematic analysis of the issues arising out of facts,
- c. Persuasiveness & deference to court
- d. Understanding of the laws of evidence and procedure
- e. Ability to successfully conduct chief / cross examinations in allotted time.
- f. Ability to elicit favourable facts from witnesses
- g. Ingenuity (ability to argue by analogy) & innovate

**B. Oral**

**submissions for the , Semi Final, Final Rounds:**

<b>100 Marks (Each Speaker) Criteria Marks Allotted</b>	
Advocacy and presentation skills.....	<b>20</b>
Knowledge and application of Law & Facts including use of Authorities.....	<b>40</b>
Court manners.....	<b>10</b>
Answers to the questions from the bench.....	<b>20</b>
Time adherence.....	<b>10</b>
<b>TOTAL.....</b>	<b>100</b>



### C. Written Submissions (Memorials)

- a. Any revisions, supplements or additions to the memorials after submission shall attract severe penalties subject to the discretion of the Administrator.
- b. Parameters for judging on a scale of 0-100 points are
  - Originality in analysis of issues
  - Logical progression of ideas & clear, precise and unambiguous writing style
  - Proper and articulate analysis of strengths and weakness of the case
  - Understanding of the legal principles directly applicable to the issues
  - Presentation of arguments with appropriate citations
  - Variety & depth of research (new points and unique interpretation of fact/law)
- c. Non- compliance of rules mentioned in Clause X shall attract penalties for each non-conformity.

### D. Researcher Test

The researcher test shall consist of Multiple-Choice Questions and shall be valued out of 20 marks . The researchers shall also be subject to questioning in the oral rounds.

### AWARDS

The following awards shall be presented:

1. Best Team : Rs. 21,000/-
2. Second Best Team : Rs. 15,000/-
3. Best Advocate : Rs. 7,000/-
4. Second Best Advocate : Rs. 5,000/-
5. Best Researcher : Rs. 3,500/-
6. Best Memorial : Rs. 3,500/-

In addition to the above awards, certificates will be given to other winners / categories. Participating certificates would be given to all teams.

### ANNOUNCEMENTS

The results of the preliminary rounds will be announced shortly after both the rounds are completed. The results of the Quarter -final & Semi Final Rounds will be announced shortly after the rounds are completed. The winners of the

competition will be announced during the Awards Ceremony of the respective rounds

### **ANONYMITY**

Student Counsel may introduce him/herself to the court in the usual manner and may state only their personal codes. However, the team's college affiliation shall not be indicated to the judges at any time. Further, all team members, coaches, advisors, and observers shall refrain from identifying a team's college 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 a books with a college logo or college seal etc.)

### **COPYRIGHT**

The participants shall certify in writing the originality of materials contained herein and shall be responsible for any claim or dispute arising out of the further use and exhibition of these materials.

### **ACCOMMODATION AND TRANSPORT**

- a. Organizers will provide accommodation and transport between the guest house/hotel and the competition venue to the participating teams. Extra members over and above the prescribed number will not be entertained and accommodated under any circumstances.
- b. Misbehavior of any sort by the participants will be dealt very seriously and will lead to disqualification.

#### **Contact Details:**

**For any clarifications, please contact:**

- Aadit Ved (President): +91-9158032314
- Suneet Ambade (Vice-President): +91-
- Rohan Kothari (Secretary): +91-9407416944

**NOTE: In case of any doubt, the organizers' interpretation shall be final. (in case of any doubts on the rules and regulations as well) Please make clarifications through written mail. Strictly no clarifications at the date of orientation and thereafter. Participating teams not to leave the premises during the ongoing competitions.**

The timeline for the said competition is as follows:

PARTICULARS	DATE
Release of Pre-Invite	27/01/2020
Commencement of Registration	27/01/2020
Release of Moot Proposition and Rules	11/02/2020
Last Date for Registration ( To submit soft copy of Registration form , Travel Form and Demand Draft)	22/02/2020
Last Date to submit Hard copy of Registration Form , Travel Form and Demand Draft	25/02/2020
Last Date to submit Soft Copy of Memorials	01/03/2020
Last Date to submit Hard Copy of Memorials	04/03/2020
Last Date to seek Clarifications	05/03/2020
Dates of the Competition	13 <sup>th</sup> to 15 <sup>th</sup> March 2020