



IN COLLABORATION WITH

PRESENTS



4th Surana & Surana & School of Law, Raffles University Labour Law Moot Court Competition, 2021

"A MOOT IS A FAUX THEATRE OF WAR THAT TRAINS YOU FOR THE REAL-LIFE CUT & THRUST OF COURT"

08- 10 APRIL 2022
MODE - CISCO WEBEX

MEDIA PARTNERS



KNOWLEDGE PARTNERS





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International Attorneys
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ABOUT RAFFLES UNIVERSITY

RAFFLES UNIVERSITY NEEMRANA, ESTABLISHED BY AN ACT OF RAJASTHAN STATE LEGISLATURE, AS PER SECTION 2(F) OF UGC ACT 1956, IS A MULTI DISCIPLINARY UNIVERSITY PROVIDING WORLD CLASS EDUCATION.

Raffles university was founded by late Shri Vinod Kumar Gomber, a towering human being gifted with compassion and ethics and the will to impart holistic value-based education to the youth of Rajasthan and beyond, who has also been an alumnus of Harvard University.

Also, the introduction of Raffles is incomplete without Hon'ble Dr. Justice Meena V. Gomber, who is a former Judge of the Rajasthan High Court and subsequently served as Head of the Armed Forces Tribunal, Jaipur - Jodhpur from 2013 - 2016. Currently, she has been effectively working as the Chairperson, Gomber Education Foundation and looking after the functioning of Raffles University, Neemrana.



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ABOUT SCHOOL OF LAW RAFFLES UNIVERSITY

**SCHOOL OF LAW OF RAFFLES UNIVERSITY
IS A RARE RESOURCE FOR AFFORDABLE
LEGAL EDUCATION, IN AN ENERGETIC
"GURUKUL" ENVIRONMENT.**

School of Law conventionally runs Law Clinics that provide legal services to those who cannot, otherwise, access these services. With the help of District Legal Services Authority, under the banner of Rajasthan State Legal Services Authority, the school has been continuously running legal clinic movements and has, had a large impact on access to legal services, to the local community. The School, in collaboration with Surana & Surana International Attorneys and with Rajasthan Education Trust Jaipur, every year, organises Surana & Surana National Labour Law Moot Court Competition and C.L. Agrawal Memorial National Moot Court Competition respectively.

If one looks at Raffles School of Law, alumni career choices, one finds that it has produced good legal academics as ours Alumnus are with big Corporate Firms and some are practicing in Supreme Court and State High Courts and even others are engaged in teaching profession.



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MESSAGE FROM THE CHAIRPERSON, GOMBER EDUCATION FOUNDATION



DR. JUSTICE MEENA V. GOMBER
FORMER JUDGE - RAJASTHAN HIGH COURT
CHAIRPERSON - GOMBER EDUCATION FOUNDATION
CHIEF PATRON - RAFFLES SCHOOL OF LAW

The modern concept of legal education is to learn by bringing about a proportionate admixture of reading, observation, participation and practice.

Mooting and Mock Trials have been emphasized by the legal educationalists as capable of inculcating in the future lawyers the art of being articulate, developing fluency and clear enunciation of thought bearing, the art of persuasion and making a succinct and intelligible putting up of a case.

Moots are legal problems in the form of imaginary cases argued by two students or two groups of students acting as counsel for each side with a bench of judges or a bench presided over by a judge.

The purpose achieved by Moots and Mock Trials is beautifully highlighted with a sense of humour by Lewis Carroll in 'Alice in Wonderland' in the following stanza:-

"In my youth", said his father, "I took to the law. And argued each case with my wife. And the muscular strength which it gave to my jaw, has lasted the rest of my life."



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MESSAGE FROM THE CHAIRPERSON, RAFFLES UNIVERSITY



SHRI VIVEK GOMBER
CHAIRPERSON - RAFFLES UNIVERSITY

Raffles University. Neerana is a dream and vision of Gomber Education Foundation to provide integrated pathway to quality education. In order to achieve this, one needs infrastructure that meets global standards, experienced team of professors and faculty who have international exposure and an environment that provides resources for its students, enabling them and challenging them to grow as individuals and identify their passions. We, at Raffles, believe that we can provide you with such an environment.

Dear students please remember these are your years of learning and this is your time, therefore do not be hesitant, we are here to help you with an experience, that you desire, at this stage of your life. All of us at Raffles University strive to review and improve everyday wherever required.

I would like to welcome you to the 4th Surana & Surana & School of Law, Raffles University Labour Law Moot Court Competition, 2021 I hope that all your expectations are met and that we can help you achieve your goals.



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MESSAGE FROM THE PRESIDENT, RAFFLES UNIVERSITY



PROF. (DR.) DIVAKAR GOLI
PRESIDENT - RAFFLES UNIVERSITY

The Universities are working very hard to make the higher education meaningful and relevant. Experiments are being done by a number of Universities, to make their end product (graduates) 'fit for job' using their own strategies. Emphasis is on bringing out competent persons who can meet the requirements of the employers. In short, higher education is driven by Job market.

I do believe that the aim of Universities is to inculcate confidence, commitment and concern as basic values in addition to providing knowledge. Raffles University is being established on high ideals with a vision to shape the youth as per the desire of Swami Vivekananda. Curriculum and pedagogy are designed to blossom the inbuilt capacity of each student.

Scientia est potentia which means 'Knowledge is Power' is our dhyeya vakya. We equip, expose, empower and enlighten you to face any challenge of the life with confidence, but not compromising with ethical values.

I do extend an open armed welcome to the University and to our flagship event. I believe that you will make this competition great.



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MESSAGE FROM THE HEAD, SCHOOL OF LAW, RAFFLES UNIVERSITY



MR. ARUN VERMA
HEAD OF DEPARTMENT,
SCHOOL OF LAW

School of Law of Raffles University has been founded with a vision to chisel out most competent legal professionals who are confident and committed. We equip, expose, enlighten and empower our students to take up any professional challenge with confidence. Students have been exposed to moot Court exercises from the beginning. Participation in moot court competitions outside the school is made compulsory. Two National Level Moot Court Competitions are being organized every year, of which one is in collaboration with the prestigious Surana & Surana International Attorneys.

I am extremely happy and wish all the best to the participants from different law universities/institutions. Our Moot court faculty and student coordinators are doing a commendable job, and their efforts are appreciable, without which organizing such a gala event is not feasible. The Surana and Surana and School of Law, Raffles University jointly organize national moot court competition on Labour Laws/Employment Law annually. It is the area of law that governs the employer-employee relationship. The prime objective of labor laws is to prevent discrimination, Promote health and safety, Establish a minimum required level for economic support, Prevent work disruption due to disputes between labour and management. This moot is an attempt to focus on immersing labour issues related to both national and international levels.



4th SURANA & SURANA & SCHOOL OF LAW, RAFFLES UNIVERSITY
LABOUR LAW MOOT COURT COMPETITION 2021
8th – 10th April 2021



INVITATION

School of Law, Raffles University with its organizing partner Surana and Surana, International Attorneys, Chennai is proud to announce the 4th Surana & Surana & School of Law, Raffles University, Neemrana National Labour Law Moot Court Competition – 2021 to be held **from 8th – 10th APRIL 2022**. It is an initiative taken forward by the organizers with an aim of creating awareness in the field primarily of Labour Law and the surrounding disciplines of Employment Laws, Administrative Law, Constitutional Law, Service Law etc. **This year's case has been drafted to test the knowledge, research aptitude and application of law by the participants in the field of laws regarding Industrial Disputes, Employment Laws, provisions governing Unmanned Aerial Vehicles and constitutional provisions governing Freedom of Trade under Article 19.**

The event will provide a unique opportunity to our participants to become a part of a powerful venture started by two of the experienced moot court competition organizers, i.e., School of Law, Raffles University and Surana and Surana International Attorneys, Chennai. The former takes pride in associating itself with another successful national level moot court competition while the latter is a familiar name for hosting, administering and funding numerous moot court competitions nationally and internationally. Together, we aim at promoting academic excellence and research in the field of Labour Law.

The event will take place virtually via **Cisco WebEx** platform. To ensure the comfort of the participating teams, an orientation program has been scheduled on the 8th of April which will include a mock for the moot, followed by a draw of lots and exchange of memorials. Competition team codes and side will also be allotted during the orientation only.

Your good self is requested to kindly direct the concerned authorities regarding participation in the competition and to register your respective team. Teams may register online at www.moot.in

We look forward to your participation in Surana & Surana & School of Law, Raffles University, Neemrana National Labor Law Moot Court Competition – 2021.

Contact: Regarding any queries you may reach to our contact persons mentioned here or drop an email at – mcc@rafflesuniversity.edu.in

Mr. Arun Verma

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National Moot Committee
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Ms. Sabiha Khan

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4th Surana & Surana & School of Law,
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Mr. Preetam Surana

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MOOT PROPOSITION

**IN THE SUPREME COURT OF HASTINAPUR
(CIVIL APPELLATE JURISDICTION)
[SCR. ORDER XXII RULE 2(1)]
(Under Article 136 of the Constitution of Hastinapur)**

Wraps Pvt. Ltd.

v.

A) Legal Respondent of Aparshakti (Respondent 1)

&

B) Cutting Edge Technology Pvt. Ltd (Respondent 2)

1. The state of Angapradesh is a federal unit of the State of Hastinapur. The state of Hastinapur has been encouraging its federal units to get as industrialized as possible. The purpose is to increase production within the country and become self-reliant. Angapradesh has started many policies which has incentivized entrepreneurs who are setting up manufacturing units.
2. Buoyed by the government's policies and facilities to industrialists, Mr. Ramesh and his family have decided to set up a manufacturing unit for cardboard covers for products. For example, Close-Up toothpaste comes in a wrap of cardboard.
3. They acquired all the necessary clearances, and the manufacturing unit was set up and the business vehicle was incorporated as Wraps Private Ltd. After three years of establishing the manufacturing unit, the company started to flourish in 2008 and gained many orders. Therefore, they added a business Unit for the delivery of wraps to the purchasers.
4. In 2010, the company bought 10 lorries for the deliveries to packaging units across the state. The company also employed ten drivers to drive these vehicles. The drivers

had an annual salary of Rs. 50,000/- each. The cost of the lorries was 5 crore in total with an annual maintenance cost of Rs. 10,00,000/- in total.

5. Everything was going very smooth till the fateful day of August 3, 2014 when one of the drivers, Shri Aparbhakti, 22, was driving the lorry to deliver wraps to the packaging unit of Bhartiya Dantmanjan Company. While he was on his way on National Highway 12, his lorry had a head-on collision with a truck coming from the opposite direction. The accident resulted in the instant death of Shri Aparbhakti.
6. This tragic accident led to Wraps Private Ltd forming a committee with international and independent experts under the chairmanship of Mr. Ramesh. The expert committee produced a Report which recommended that Wraps Private Ltd adopt state-of-the-art technology for its deliveries.
7. As a result, Wraps Pvt. Ltd. entered into a technological understanding to commence trials for Beyond Visual Line of Sight (BVLOS) operations with Cutting Edge Delivery Pvt. Ltd. The requisite approval from the Ministry of Defence and other concerned ministries was obtained. Soon, a trial run was successfully undertaken.
8. Wraps Pvt. Ltd. entered into contract with Cutting Edge for ten delivery systems. , These were drones and could lift a weight up to 150kg. These were in operation at Wraps for last two years and successfully delivered goods to packaging units. The drones were self-operating and needed no human intervention during the delivery process. Any human intervention that was required was performed by Cutting Edge Technology.
9. The Civil Aviation Ministry began to regulate the commercial drone operations in Hastinapur. A regulation was accordingly framed in the “Rules for Commercial Drones, 2016” under its powers under The Aircraft Act, 1934 and Aircraft Rules, 1937. Cutting Edge Technology applied for certification of the drones in the category of Medium Drone at the Quality Control Council of Hastinapur. The Council accordingly granted it the permission to operate these drones.
10. On 16 January 2018, while goods were being loaded to the drone system, it developed a malfunction and could not hold the weight being attached to it. It fell on the heads of two of Wrap’s employees Sushri. Karishma Devi and Shri Chatur Kumar leading to their death on the spot.

11. Meanwhile, the legal dependents of Shri. Aparbhakti brought an action for compensation at the office of Deputy Commissioner of Employee's Compensation under the Employee's Compensation Act, 1923 (EC Act, 1923). The claim was filed on 10 April, 2018. The Deputy Commissioner allowed the claim. On 15 May, 2018 he allowed the total claim of Rs. 11,06,850/-.
12. The claim was challenged in the High Court as it was found to be inadequate. The High Court remanded the matter back to Deputy Commissioner to reconsider his decision and determine the claim afresh. The Dy. Commissioner maintained the same award as awarded on 15 May, 2018 as per S.4(1B), of the EC Act, 1923 and Schedule IV of the Act. As per this law the Commissioner has jurisdiction for claims below the ceiling of monthly wages of Rs. 5000/-. Under Schedule IV of the EC Act, 1923 a scheme was laid for the multiplicand according to the age of the deceased at the time of filing of claim. Therefore, the Dy. Commissioner applied the multiplicand of 221.37 in accordance with the law of EC Act, 1923.
13. The Union Government came out with a Notification dated 1-1-2016 whereby, acting in pursuant to the power endowed upon it under S.4, the EC Act, 1923 changed the ceiling of Rs. 5000 monthly wages to Rs.10,000/- Therefore, the amount of award should have been double the amount as to what was awarded by the Dy. Commissioner
14. After the unchanged award by the remanded Dy. Commissioner, the matter was filed again in the High Court of Angapradesh. Keeping in mind the Notification of the government, the High Court doubled the amount of the award that had been granted by Dy. Commissioner on 15 May, 2018.
15. Legal representatives of Sushri Karishma Devi and Shri Chatur Kumar also filed for compensation under the Employee Compensation Act, 1923 which was approved by the Dy. Commissioner. Wraps Pvt. Ltd. in return asked Cutting Edge Technologies to indemnify them for the compensation awarded to the families of the deceased employees. Cutting Edge refuted the claim arguing that there was no Clause in the purchase agreement for drones on accidents caused by drones. The Drone Rules are also completely silent about the indemnification of loss.
16. Wraps Pvt. Ltd. brought an Action for indemnification in the High Court of Angapradesh against Cutting Edge Technology. The High Court dismissed the Action

observing that nothing is mentioned in the Drone Rules for indemnification by the Remote Pilot who was under the employment of Cutting Edge.

17. The Wraps Pvt. Ltd decided to appeal this case before the Supreme Court of Hastinapur under Art.136 of the Constitution of India, going against the High Court Order and also against the Order of the Dy. Employment Commissioner.

Supreme Court clubbed the SLPs and decided to hear them together. The questions before the Supreme Court of Hastinapur are as follows:

- i. Whether government Notification, dated 1-1-2016, under the Employee Compensation Act, 1923, is applicable to accidents that took place prior to the Gazette Notification.
- ii. Whether claims under the Employee's Compensation Act, 1923 and The Rules for Commercial Drone, 2016 are mutually exclusive or not.
- iii. Whether "The Rules for Commercial Drone, 2016" is constitutional as it encroaches upon the Freedom of Trade under Article 19, Constitution of Hastinapur.

NOTE: All the laws are *pari materia* with laws in India and "The Rules for Commercial Drone, 2016" has identical provision as in the Draft Drones Rules, 2021 of Ministry of Civil Aviation, Government of India.



4th SURANA & SURANA & SCHOOL OF LAW, RAFFLES UNIVERSITY

LABOUR LAW MOOT COURT COMPETITION 2021-22

8 – 10 April 2022

RULES AND REGULATIONS

I. Aim & Purpose

SURANA & SURANA & SCHOOL OF LAW, RAFFLES UNIVERSITY NATIONAL LABOUR LAW MOOT COURT has been conceived with the aim of creating opportunities for learning the development of jurisprudence on emerging trends in Labour Law besides developing cutting edge skills in research, writing and advocacy.

II. Venue and Date

The 4th SURANA & SURANA & SCHOOL OF LAW, RAFFLES UNIVERSITY NATIONAL LABOUR LAW MOOT COURT 2021 shall be held virtually from **8 – 10 April 2022**.

Prof. (Dr.) Divakar Goli, Vice-Chancellor, Raffles University, will be the National Administrator.

III. The competition shall be in the English language.

IV. Eligibility

The competition is open for students who are studying LLB three year or five-year course during the current academic year interested in Employment Law and who belong to institutions that have been invited.

V. Team Composition

- a. Each team should consist of a minimum of 2 and maximum of 3 members. This number cannot be modified under any circumstances.
- b. There shall be 2 speakers and 1 researcher designated for each team. The researcher shall be allowed to argue with prior permission of the court and National Administrator in case of illness of the designated speakers.
- c. Each team will **be provided a team code** during orientation. Teams should not disclose the identity of their institution; such disclosure shall invite penalties including disqualification. The decision for the same shall be at the discretion of the National Administrator.

VI. REGISTRATION

- a. Online registrations are open from **6th October 2021**. The teams must register online by **14th February, 2022**. Teams will have to register online at www.moot.in **Only 40 teams will be registered to participate in the competition on first- come-first serve basis.**
- b. No temporary registration requests will be entertained. Kindly refrain from sending such requests to Surana & Surana or SOL, Raffles University.

- c. Participants will receive an automated system generated acknowledgement on successful submission of registration. Participants will receive an approval as acceptance of their request for participation latest by **16th February 2022** or earlier.

d. Registration Process

Option 1 - The Registration form cum Approval letter as provided in the rules duly signed & sealed by your university / college / moot society.

Option 2 - Upload both (i) & (ii) together **as a single PDF**

- (i) The Registration form cum Approval letter (without seal & signature) as provided in the rules duly filled along with
(ii) Scanned copy of authorization letter with sign and seal from your university/college / moot society

or

An email communication from the official id (to be filled as notification email id during online registration process) of the institution, from your university / college / moot society to complete the registration process.

Note:

- i. Signatories on the registration form should be any of the following: - Faculty-in-charge of MCA / MCS / MCC, Registrar, Dean, Principal, Director, Chancellor or Vice-Chancellor
 - ii. Registration without the scanned copy of the approval letter / an email communication from the college/institution/university or duly attested registration form will not be valid.
- e. Soft copy of the registration and approval letter/ an email communication as a **single PDF** to be sent by email to: mcc@rafflesuniversity.edu.in marked as 4th SURANA & SURANA AND SCHOOL OF LAW, RAFFLES UNIVERSITY LABOUR LAW MOOT COURT COMPETITION REGISTRATION as subject of the mail latest by **21st February 2022**. **The provisional team code shall be allotted to the registered teams by Host University soon after receiving of registration particulars along with the registration fee.**



- f. On receiving the provisional team code from moot committee/society of SOL, Raffles University you may proceed to pay the registration fees.

A registration fee of Rs. 1500/- is to be paid online by 16th February, 2022 to: BANK NAME: YES BANK LTD

BRANCH:

NEEMRANA – 301705

NAME: RAFFLES

UNIVERSITY A/c NO:

013194600000300

IFSC:

YESB0000131

SWIFT CODE:

YESBINBB

Receipt of the online payment to be sent by email to: mcc@rafflesuniversity.edu.in



Fee once paid will not be refunded.

- g. In the event a team drops out of the competition or is disqualified the team next in line as per registration data (When the registration exceeds beyond the permitted 40 teams) will be offered the chance to participate in the competition at short notice. Such teams will have to submit memorials to be eligible at least 3 days prior to the start of the competition.

VI. ORIENTATION

There will be an Orientation Program for all the participants on **8th April, 2022 (Friday)** followed by a draw of lots and exchange of memorials. Competition team codes and side will be allotted during the orientation only.

VII. ROUNDS

There will be two preliminary rounds of arguments, an octa final, a quarterfinal, a semi-final and a final round.

Octa final will be conducted if the participation exceeds 24 teams

Quarter final will be conducted if the participation exceeds 16 teams

Preliminary Round/ Octa Finals/ Quarter Finals

- a. There will be two preliminary rounds of arguments per team, once for applicant & another for respondent.
- b. No team will face each other more than once in the preliminary rounds.
- c. Each team will face a different bench in their second round of arguments.
- d. Preliminary round 1 will be held on **8th April 2022 (Friday)** while Preliminary round 2 / Octa finals/ Quarter finals/ Semi-finals will be held on **9th April 2022 (Saturday)**.
- e. Top sixteen/eight teams from the Preliminary Rounds will advance to the Octa / Quarter final rounds that will be decided on
 - a. Win points
 - b. Win points + Aggregate raw points
 - c. Win points + aggregate raw points (in case of tie minus memorial marks)

Memorial marks will be added to the scores of both the preliminary rounds only.

- f. The dress code shall be advocate's attire (as laid out by the BCI) during orientation, the oral rounds and valedictory ceremony of the competition.
 - a. The oral arguments need not be confined to the issues presented in the memorials

Octafinal / Quarterfinal / Semi Final Round / Final Round:

- a. Lots / power matching will decide the side of the arguments in Octafinal, Quarterfinal, Semifinal & Finals.
- b. Semifinals will be held on **9th April 2022 (Saturday)**, followed by the Finals.
- c. The Octafinal / Quarterfinal / Semifinal are knockout rounds.
- d. The schedule is subject to change in case participating teams' number less than 30

Results (Announcement)

Results of the preliminary rounds shall be announced after the completion of rounds of all the teams. Similarly, the results of the Quarter-Final/Semi-Final Rounds shall be announced after completion of the rounds of all qualified teams of respective rounds. The results of the Final Round shall be announced during the Valedictory Ceremony.

VIII. MEMORIALS

The following requirements for memorials must be strictly followed. Non-conformities will be penalised:

- a. Each team must prepare memorials for both parties to the dispute (Petitioners and Respondent).
- b. The soft copy of the Memorials for the Petitioner and the respondent should be mailed to mcc@rafflesuniversity.edu.in with copy to mootcourt@lawindia.com on or before **21st March 2022**
- c. Late submission will be penalized by two points for each hour subject to a maximum penalty not exceeding 20 points.
- d. Memorials received after 24 hours of the deadline will not be considered and the team will be disqualified from the moot court competition.
- e. Once the soft copy of the memorials has been submitted, **no revisions, supplements, or additions will be allowed.**
- f. Soft copy of the memorials should be emailed with the subject as “Team Code- Memorial Submission”. The memorials shall be submitted in **Word format**. The file shall be named as “**Team Code- Memorial for Petitioner**” and “**Team Code- Memorial for Respondent**” respectively. The memorials for the two sides shall be attached as two separate attachments in the same email communication.
- g. The memorials have to be submitted on typed 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 & argumentative statement of facts attract penalties)
 - The statement of issues
 - The summary of arguments (not more than 1 page)
 - The arguments advanced (not more than 15 pages)
 - The prayer
- h. Uniform font size should be used throughout the memorial. The font size should be 12 (double space) and for footnotes it should be 10 (single space) & double space is to be adhered to between two-foot notes. Footnoting must conform to the Bluebook: A uniform system of citation (20th Edition). Non-Compliance will result in a penalty of 1 mark per page. Substantive/ speaking footnotes are strictly prohibited.
- i. The memorial must have a margin measuring one inch on all sides of each page.



- j. The page numbering should be on the top right side of each page.
- k. Covers must be placed on briefs as follows:

Petitioner: Light Blue Color; Defendant: Light Red Color.

- 1. The cover page of the memorial must state the following
 - a. Team Code (On the top right corner)
 - b. The cause titles
 - c. Identify brief as Petitioners / Applicant / Respondents as is applicable
- i. Identity of the institution shall not be revealed anywhere in the memorial. Violation of this provision shall result in penalties including disqualification. The National Administrator's decision shall be final.
- j. The teams may share a separate paper book (compendium) of not more than 50 pages, which will carry all the annexure and case laws that have been referred to in the memorial. The paper book will have a white cover. The teams may submit through screen sharing with judges or submitted during virtual registration before commencement of the Competition as advised by the organizers. Any identifying marks/seal of the college/university shall attract severe penalties including disqualification.

IX. ORAL ROUND

Preliminary Round, Octafinals & Quarterfinals

- a. Each team will get a total of 30 minutes to present their case. This time will include rebuttal and sur-rebuttal time.
- b. The division of time is at the discretion of the team members, subject to a minimum of 12 minutes per speaker. Division of time shall be informed to the court officer before arguments begin.
- c. The oral arguments need not be confined to the issues presented in the memorials.
- d. Passing of notes to the speakers by the researcher during the rounds is allowed. However, it is to be done discreetly without disturbing the proceedings of the court.
- e. The researcher may sit with the speakers at the time of the orals.

Semifinal & Final

- a. Each team will get 45 minutes to present their case that will include rebuttal and sur-rebuttal time
- b. The division of time is at the discretion of the team, with a maximum of 25 minutes per speaker and a minimum of 20 minutes per speaker.
- c. The oral arguments need not be confined to the issues presented in the memorials.
- d. Passing of notes to the speakers by the researcher during the rounds is allowed. However, it is to be done discreetly without disturbing the proceedings of the court.
- e. The researcher may sit with the speakers at the time of the orals.



X. SCOUTING

Teams will not be allowed to observe the orals of any other teams. Scouting is strictly prohibited. Scouting by any of the team members shall result in disqualification. Final Round will be broadcasted live.

XI. SCORING

A. Orals

The parameters for judging the oral presentation on a scale of 0 – 100 points are:

- a. Knowledge of facts
- b. Logic and reasoning
- c. Organisation and clarity
- d. Persuasiveness
- e. Deference to the court
- f. Proper and articulate analysis of the issues arising out of facts
- g. Understanding of the legal principles directly applicable to the issues
- h. Ability to explain clearly the legal principles in general keeping to the time allotted
- i. Knowledge and use of legal sources and authorities and general principles of national law
- j. Ingenuity (ability to argue by analogy from related aspects of law)

B. Written Submissions (Memorials)

- a. The memorials shall be marked on a scale of 1-100 points each.
- b. Any revisions, supplements or additions to the memorials after submission shall attract severe penalties subject to the discretion of the National Administrator.
- c. Award of the points shall be based on the following parameters:
 - Neatness, legibility, no typographical errors or format errors
 - Logical progression of ideas
 - Effective use of headings to outline arguments
 - Understanding essential legal issues presented
 - Focus on essential (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
 - Proper use of citations and citation form
 - Effective use of authority to support arguments
 - Ability to distinguish adverse cases
- d. Non-compliance of the rules mentioned in Clause VII above shall attract severe penalties

XII. AWARDS

WINNING TEAM – Cash Prize of Rs. 21,000/-

RUNNER-UP TEAM – Cash Prize of Rs. 11,000/-

BEST MEMORIAL – Cash Prize of Rs. 5,100/-

BEST SPEAKER – Cash Prize of Rs. 5,100/-

FREE CERTIFICATE COURSES

- A. 100% Fee Waiver in one of the Courses by 'Lawctopus Law School' for the members of the Winning team (3 coupons). The team has to avail the offer within 3 months.



- B. One Free Course of any choice to the Winning Team up to INR 2200/- each by 'Memo Pundits' [Prize worth INR 6600/-]
- C. INR 1500/- discount coupon to the Runners-Up on any one course of their choice each by 'Memo Pundits' [Prize worth INR 4500/-]
- D. INR 1000/- discount to the Best Researcher and Best Speaker by 'Memo Pundits' [Prize worth INR 2000/-] MOOT MENTORSHIP – 30% discount on moot mentorship after releasing the problem to all the participants by 'Memo Pundits'. All participants will be issued participation certificates.

XIII. ANONYMITY

- a. Student counsel may introduce her/himself to the court in the usual manner and may also state her/his names. However, the team's college / institution affiliation may not be mentioned at any time before the awards ceremony.
- b. Further, all team members, coaches, advisors, and observers shall refrain from identifying a team's school at any time and in any manner, including, but not limited to, wearing any identifying items, such as school clothing, ties, patches, or pins or carrying identifying material (such as a book with a college logo, or college seal).

XV. DECISION OF THE JUDGES IS FINAL

XVI. POLICY FOR VIRTUAL ROUNDS

- a) The Oral Rounds for the competition will take place virtually via **Cisco WebEx** platform.
- b) It would be the responsibility of every team to ensure a stable internet connection. The audio and video of every member of the team should be clear. Every team must ensure a proper background. The organisers will under no circumstances be obligated to provide the participants with any such facility.
- c) All participants should mandatorily join with their laptops or desktops and other forms of device are to be avoided.
- d) **The link or the ID and password for the room on Cisco WebEx will be conveyed to the participating teams before the oral rounds.**
- e) Each participating member of every team is advised to install the Cisco WebEx platform on their devices well in time.
- f) Each team is required to join the room at least twenty minutes before the scheduled time of commencement of the oral rounds.
- g) The participants' camera and microphone shall be firmly positioned



throughout the oral rounds so as to show speakers and to ensure their voices are clearly audible.

- h) All participants must keep their cameras on at all times during the rounds. Camera to be switched off in case of technical glitches with the permission of the bench.
- i) At the time when one participant is speaking, others are expected to keep their microphones on mute. In case a participant is found disturbing the other pleader anyway, he/she or the entire team to which such participant belongs may be disqualified upon the discretion of the bench.
- j) Each participant is responsible for finding a suitable venue and background to participate. The venue must be a quiet location and one which has adequate and reliable internet connectivity and has a desk and chairs for the oralist. Location in open spaces hallways or cybercafes or similar areas are NOT permitted.
- k) Participants are cautioned to ensure that all equipment has a power supply sufficient to last for at least two hours without interruption.
- l) In case of a loss in internet connection, each team will be given a reasonable time to reconnect. If the problem still persists the decision made by the organizers shall be final and binding.
- m) In the event where one or both of the speaker could not join due to connectivity issue, the team may be disqualified from the competition and at no circumstances can other member of the team be allowed to switch roles.
- n) Where a team does not appear within 10 minutes of the scheduled time for the round, the round shall proceed as ex-parte.
- o) Compendium & memorials shall be mailed to mcc@rafflesuniversity.edu.in along with the team competition codes on completion of the Orientation as directed by the organizers.
- p) Any compiled Research Material (Compendium) or other supplementary documents may be, as per the discretion of the bench, presented by the team by using the “screen sharing” option given they have fulfilled the preceding sub-clause.
- q) Participants will not be allowed to use the feature of personal chat on Cisco WebEx to communicate with their team members or members of the opposing team. (However, the teams may communicate with each other via



- other digital platforms in the background according to their convenience).
- r) Teams shall not use internet or any other devices during the rounds for anything, except participating in the rounds.
 - s) Participants can only sip water on screen during the competition. Consumption of other beverages or eatables is not permitted. Non-Speakers are to switch off video before drinking water.
 - t) Participating speakers and researcher are permitted to join for the Virtual Competition from the same premises/room. However, the screen space shall be independent and the speakers, researcher to represent before the bench through individual/separate devices.
 - u) Appropriate court room demeanor is to be maintained. This is mandatory.
 - v) Participants are expected to cooperate with the organizers and the judges, in case anyone faces any issue.
 - w) The organizers shall take best available measures to resolve or mitigate any connectivity issues that may arise. However, in cases where that is not possible, the organizer cannot be held responsible for the unforeseen issues which includes (but are not limited to) – Software failure and connectivity issues. The decision of the Organizers in consultation with the judges shall be final and binding.

XVII. COPYRIGHT

- a. The copyright over the memorials submitted for participation in the competition is assigned by participants and shall also vest completely and fully in SOL, Raffles University, Neemrana and Surana & Surana International Attorneys Chennai. The participants shall certify in writing the originality of materials contained therein and shall be responsible for any claim or dispute arising out of the further use and exhibition of these materials.
- b. Further use and exhibition of these materials, electronically or otherwise, shall be the exclusive right of Surana & Surana International Attorneys, Chennai and SOL, Raffles University, Neemrana and they shall not be responsible for any liability to any person for any loss caused by errors or omissions in this collection of information, or for the accuracy, completeness, or adequacy of the information contained in these materials.
- c. Distribution of these materials on affiliated websites such as www.moot.in does not constitute consent to any use of this material for commercial redistribution



either via the Internet or using some other form of hypertext distribution. Links to the collection or individual pages in it are welcome.



XVIII. Prof. (Dr.) Divakar Goli, Vice-Chancellor, Raffles University, will be the National Administrator.

XIX. Any clarifications for the competition can be sought from:

Regarding Queries on Case / Submission of Memorials /Accommodation / Transport/ etc.

- (a) **Mr. Arun Verma** –
arun.verma@rafflesuniversity.edu.in
Mob: +91-8077921962 – (Head of the Department)
- (b) **Ms. Sabiha Khan (Asst. Prof.)-**
sabiha.khan@rafflesuniversity.edu.in
Mob: +91- 8954069567- Convener

(c) Regarding registration

Preetam Surana

Advocate & Head, Academic Initiatives

Head (Admin), Litigation &

Arbitration Practice Surana &

Surana International Attorneys

Email: mootcourt@lawindia.com, **Ph: 044 – 2812 0000, Fax: 91 – 44 – 2812 0001**

Student Coordinators:

- | | |
|--|------------------------|
| a) Aditya Bhatnagar (BALLB 9th Sem) | :+91 9680943401 |
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| d) Kuldeep Singh Rathore (BALLB 9th Sem) | :+91 7610861272 |



IMPORTANT DATES

Start of Online Registration	6th October 2021
Last date for Online Registration	14th February 2022
Last date for payment of Registration Fee	16th February 2022
Last date for receiving copies of Reg. Form / Approval letter along with details of registration fee payment	21st February 2022
Last date for requesting clarification for Problem	28th February 2022
Last Date for Submission of Memorials One Hard Copy (both applicant and respondent) & Soft Copy by email	21st March 2022
Orientation / Prelims – 1	8th April 2022
Prelims – 2 / Octa final / Quarter final / Semifinal	9th April 2022
Final, Valediction & Prize distribution	10th April 2022



Registration form/ Approval letter
(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., the Surana & Surana International Attorneys, Chennai and SOL, Raffles University, Neemrana for any claim or dispute arising out of the further use and exhibition of these materials.

(All particulars must be given)

Name & Address of the participating Institution:

Notification Email:

Regd. Mobile #:

Name of the participant	Gender	Course	Year / Semester	Signature
Teams primary Email ID/ Telephone Number for communication				

Seal & signature of the
Head of the Institution