



RULES AND REGULATION

3RD PES NATIONAL MOOT COURT COMPETITION

FACULTY OF LAW, PES UNIVERSITY

MARCH 19TH – 22ND, 2020

1. DEFINITIONS

1.1. “Clarifications” refer to the corrections and clearance of issues arising from and pertaining to the Moot Problem issued by the organizing committee in consultation with the problem drafter. They shall form part of the Moot Court Competition.

1.2. “Competition” means 3rd PES National Moot Court Competition, Faculty of Law, PES University, 2020.

1.3. “Petitioner” means that Team which argues on behalf of the Petitioner at any given point in the Competition.

1.4. “Compendium” means a compilation or collection of legal or other authorities that a Team seeks to rely upon during the Oral Pleading Session.

1.5. “Margin of Victory” means the difference between the scores in the oral pleading session of the two competing teams facing each other in the preliminary round.

1.6. “Oral Score” means the score given by a judge to a speaker/team.

1.7. “Speaker” means one of the two designated members who will plead before a Bench for a Team.

1.8. “Organizing Committee” or “OC” means the committee, including any other authorized persons, appointed for the administration and conduct of the Competition and of all events leading to the Competition.

1.9. “Rebuttals” refer to the set of arguments/challenges that the Petitioner shall raise at the end of the main pleadings of all the speakers.

1.10. “Reply to Rebuttals” means the defence presented by the Respondent in response to the Rebuttals.

1.11. “Researcher” means that member of a Team who is not a speaker.

1.12. “Researchers Test” means a written test conducted during the Competition in which only the designated Researcher of the registered team would be participating.

1.13. “Respondent” means that Team which argues on behalf of the Respondent at any given point in the Competition.

1.14. “Scouting” means any person observing the Oral Pleading Session of a Team other than the Team such person is associated with.



1.15. “Team” means the registered representatives of any Institution participating in the Competition.

1.16. “Team Code” means the code allotted to a Team through a draw of lots.

1.17. “Memorials” means the memorandum of written submissions submitted by the registered Team.

1.18. “Memorial Score” means the score determined in accordance with Rule 9 of the Rules and Regulations of the Competition.

1.19. “Institution” means centre of legal education recognized by the Bar Council of India.

2. ELIGIBILITY CRITERIA

2.1. The Competition is open to all students enrolled bona-fide on a regular basis in an undergraduate law course or its equivalent conducted by any recognized Institution.

2.2. A recognized Institution shall be entitled to send only one Team to the Competition.

2.3. Each Team shall comprise of a minimum of two members and a maximum of three members. In a Team comprising of two members, both the members shall be designated as speakers. In a Team comprising of three members, two members shall be designated as speakers and the third member shall be designated as a Researcher.

2.4. Any additional member or Team Coach accompanying a Team will not be entitled to a certificate from the OC. Such persons will not be provided with accommodation from the organizers.

3. ANONYMITY OF TEAMS

3.1. Teams shall not reveal their identity in any form, except by means of the Team Code assigned to them.

3.2. Teams shall not, in any way, reveal the identity of the Team, its members or the Institution represented, in the Written Submissions or in the course of the Oral Pleading Session. The Written Submissions shall not bear the logo, name, etc. of the Team, its members or Institution represented by the Team.

3.3. Any material, including the Compendium, carried into the courtroom for the Oral Pleading Session, whether presented to the Bench or not, shall be devoid of any identification marks/ seal of the Team or Institution represented. If any such mark/seal exists, the Team shall render the same unrecognizable to the satisfaction of the OC.



3.4. Any violation of aforementioned rules shall attract penalty as determined by the OC. The decision of the OC in this regard shall be final and not subject to challenge.

3.5. Any attempts by a Team or a member of the Team to contact, either directly or indirectly, the drafter of the Moot Problem for any reason whatsoever after the release of the Moot Problem and before the Competition closes shall lead to the disqualification of such Team from the Competition.

4. REGISTRATION

4.1. Each Team must register by filling up the registration form available on the Official Website and by paying the registration fee of **Rs. 6000 (Six Thousand only)** through Demand Draft. Details are given below:

DEMAND DRAFT

DD (from Nationalised Bank preferably) shall be drawn in favour of “PES UNIVERSITY GENERAL FUND” payable at Bengaluru.

The DD shall reach to

Mr. Ranjeet Mathew Jacob,
Faculty Co-ordinator, National Moot Court Competition,
Faculty of Law, Panini Block 4th Floor,
PES University,
Outer Ring Rd,
Banashankari 3rd Stage, Bengaluru, Karnataka- 560085

4.2. Each Team shall complete such registration on or before 7th February 2020.

4.3. Team is to register using the registration option in the Official Website - www.pesmoot.weebly.com.

4.4. Once a Team registers by completing the formalities, a Team Code shall be assigned to the Team.

4.5. A Team that has registered may change its composition only after informing the Organizing Committee of such change through any of the contact options made available to them.

5. CLARIFICATIONS TO THE MOOT PROBLEM

5.1. Teams may seek Clarifications via e-mail nmcc@pes.edu or web app where the registration has been done, latest by 7th February 2020.

6. WRITTEN SUBMISSION

6.1. Each Team is required to prepare Written Submissions for both sides, i.e., the Petitioner and the Respondent of the case.

6.2. A Written Submission shall be identified solely by the Team Code assigned to the Team by the Organizing Committee. The Written Submissions shall not, in any way, disclose any fact pertaining to the identity of the Team, its members, or the College/Institution/University represented by the Team.

6.3. A Written Submission shall consist of the following mandatory heads:

- a. Cover Page
- b. Table of Contents
- c. List of Abbreviations
- d. Index of Authorities
- e. Statement of Facts (not exceeding 2 pages)
- f. Statement of Issues
- g. Summary of Pleadings (not exceeding 3 pages)
- h. Arguments Advanced (not exceeding 25 pages)
- i. Prayer (not exceeding 1 page)

6.4. A Written Submission should not exceed the maximum limit of 40 (Forty) pages in length, including the Legal Pleadings and Cover Page.

6.5. The Cover Page of a Written Submission must contain the following information:

- a. The Team Code in the upper right-hand corner
- b. The year of the Competition
- c. The name of the case
- d. The side for which the Written Submission has been prepared
- e. Name of the forum resolving the dispute

6.6. Teams shall cite all authorities in the Written Submission using footnotes following the Bluebook Method of Citation (20th edition).

6.7. Footnotes should be limited only to citations and in no case shall footnotes contain additional information or arguments.

6.8. The Written Submission shall not contain any annexure, photograph, diagrams, or other representation of like nature.

6.9. The Written Submission (including the preliminary pages and excluding the cover page) shall adhere to the following mandatory specifications:

- a. Page size: A4
- b. Font type: Times New Roman
- c. Font size: 12
- d. Line spacing: 1.5
- e. Body of text: Justified
- f. Margin of 1 inch on each side of each page
- g. No borders

For footnotes, the formatting specifications are:

- a. Font type: Times New Roman
- b. Font size: 10
- c. Line spacing: 1
- d. Paragraph spacing: 0
- e. No additional space between 2 footnotes
- f. Body of text: Justified

6.10. The Written Submission shall be stapled only. The hard copy of Written Submission shall be printed on both sides. The following colour schemes shall be followed for the Cover Page of the hard copy of the Written Submission:

Petitioner – Blue

Respondent – Red

6.11. Each Team shall send a soft copy of the Written Submission for each side in PDF and Microsoft Word (.docx/.doc) formats, via e-mail, on or before 5th March 2020 (11:59 P.M.). Any soft copy submission made after 5th March 2020 (11:59 P.M.) will be considered as late submission and it shall be the discretion of the OC to accept the submission.

6.12. The files are named according to the Team Code and the side for which the Written Submission is prepared (For instance, Team 01 will name its Written Submission for the Petitioner as 01P and Written Submission for the Respondent as 01R).



6.13. All Teams are required to submit Five (05) hard copies of the Written Submissions for each side (05 for the Petitioner and 05 for the Respondent) at the time of registration on 19th March 2020.

6.14. The hard copies of the Written Submissions must be exactly the same as the soft copies of the Written Submissions sent by the Team. Any violation of this rule shall attract penalty as determined by the OC. The decision of the OC in this regard shall be final and not subject to challenge.

6.15. Teams may carry hard copies of their Written Submissions for their personal use. No hard copies of Written Submissions submitted by a Team to the OC shall be provided to such Team for their personal use.

7. ORAL PLEADING SESSIONS

7.1. Teams shall submit their oral pleadings throughout the Competition in the following order:

1. Speaker 1 for Petitioner
2. Speaker 2 for Petitioner
3. Speaker 1 for Respondent
4. Speaker 2 for Respondent

7.2. No Researcher of any Team shall be permitted to address the Bench.

7.3. The Rebuttals or Reply to Rebuttals, as the case may be, shall be presented by only one Speaker of the Team. The Rebuttals of the Petitioner shall be limited to responding to the oral pleadings of the Respondent. The Reply to Rebuttals of the Respondent shall be limited to responding to the Rebuttals of the Petitioner.

7.4. Before each Oral Pleading Session of a Team begins, the Speakers of the Team shall inform the courtroom officer regarding the order of speaking as well as allocation of time between themselves and the time reserved for Rebuttals or Reply to Rebuttals, as the case may be. The Team shall not be allowed to change this allocation of time once it has been informed to the courtroom officer.

7.5. In case any opponent Team fails to appear in an Oral Pleading Session, the round shall be conducted ex-parte and the scoring shall be done as if the defaulter Team had been present and arguing.

7.6. The dress code for the Competition shall be black and white business formals.



7.7. Any Compendium that the Team seeks to rely on shall be submitted to the courtroom manager/courtroom officer prior to any Oral Pleading Session. Such Compendium must be stapled, and must contain a cover page specifying the Team Code. The courtroom manager/courtroom officer shall provide such Compendium to the Bench.

7.8. Any further legal or technical authorities not included in the Compendium may be passed only at the discretion of the Bench.

7.9. No photographs, graphs, diagrams, tables or any other representation of like nature prepared by the Team can be passed to the Bench, under any circumstances whatsoever.

7.10. Team members may pass research material, other written materials or notes to the Speaker who may be speaking, in a discreet manner.

7.11. Any Team which violates any of the Rules with respect to the Oral Pleading Sessions may be penalized. The decision of the Bench shall be final in this regard.

7.12. An additional member or Team Coach accompanying a Team shall be permitted to view the rounds of only that Team such person is associated with. Such additional member or Team Coach shall not be permitted to use any electronic devices, like laptops, projectors, video cameras, mobile phones, etc. during the Oral Pleading Sessions.

7.13. Any form of Scouting during the Competition is strictly prohibited and shall entail disqualification of the Team. The decision of the OC in this regard shall be final and not subject to challenge.

7.14. Preliminary Rounds and/or Octa Final Rounds

7.14.1. Each Oral Pleading Session will be for a period of 50 minutes (including Rebuttals and Reply to Rebuttals) wherein each Team will be allotted 25 minutes (including Rebuttals or Reply to Rebuttals, as the case may be). Any extension of time beyond this specified period is subject to the discretion of the Bench.

7.14.2. No Speaker of a Team shall speak for more than 15 minutes, excluding the time reserved for Rebuttals or Reply to Rebuttals, as the case maybe.

7.14.3. No Team shall reserve more than 5 minutes for Rebuttals or Reply to Rebuttals, as the case maybe.

7.15. Semi Final and Quarter Finals Rounds

7.15.1. Each Oral Pleading Session will be for a period of 80 minutes (including Rebuttals and Reply to Rebuttals) wherein each Team will be allotted 40 minutes (including Rebuttals or Reply to Rebuttals, as the case may be). Any extension of time beyond this specified period is subject to the discretion of the Bench.

7.15.2. No Speaker of a Team shall speak for more than 20 minutes, excluding the time reserved for Rebuttals or Reply to Rebuttals, as the case maybe.

7.15.3. No Team shall reserve more than 5 minutes for Rebuttals or Reply to Rebuttals, as the case maybe.

7.16. Final Round

7.16.1. Each Oral Pleading Session will be for a period of 90 minutes (including Rebuttals and Reply to Rebuttals) wherein each Team will be allotted 45 minutes (including Rebuttals or Reply to Rebuttals, as the case may be). Any extension of time beyond this specified period is subject to the discretion of the Bench.

7.16.2. No Speaker of a Team shall speak for more than 25 minutes, excluding the time reserved for Rebuttals or Reply to Rebuttals, as the case maybe.

7.16.3. No Team shall reserve more than 5 minutes for Rebuttals or Reply to Rebuttals, as the case maybe.

8. STRUCTURE OF THE COMPETITION

8.1. The Competition shall consist of the following Oral Pleading Sessions:

- a. The Preliminary Rounds;
- b. The Octa-Finals (provided there are a minimum of 32 teams);
- c. The Quarter Finals;
- d. The Semi-Finals; and
- e. The Final Round

8.2. The Researchers' Test shall be conducted in accordance with Rule 8.7 of the Rules and Regulations of the Competition.

8.3. Preliminary Rounds

8.3.1. The pairing of Teams for the Preliminary Rounds shall be done by a draw of lots by the OC. No two Teams shall argue against each other more than once in the Preliminary Rounds.

8.3.2. For this round, the Bench shall consist of two judges.

8.3.3. Each round shall be decided through the two-win system. Teams with two wins in the preliminary rounds will automatically qualify to the octa-finals.

8.3.4. In case there are less than 16 teams with two wins, the criterion for qualification will be the cumulative margin of victory of the teams in the preliminary rounds. If a tie persists, qualification will be decided on the basis of the memorial scores of the teams.

8.4. Octa-Finals

8.4.1. Subject to the participation of teams, the Octa-Finals will be held. The pairing of Teams for the Octa-Finals shall be done by a draw of lots.

8.4.2. For this round, the Bench shall consist of two judges.

8.4.3. Team which is given the higher cumulative Oral Score would qualify for the next round.

8.4.4. In case there is a tie in the scores of two competing teams, memorial scores shall be used to decide the winner.

8.5. Quarter Finals/ Semi-Finals

8.5.1. The pairing of Teams for the Quarter Finals shall be done by a draw of lots. The pairing of Teams for the Semi-Finals shall be done by a draw of lots.

8.5.2. The Rules and Regulations to determine the winner of the Octa-Finals will apply mutatis mutandis to determine the winner of the Quarter Finals and Semi-Finals.

8.5.3. The Teams in Quarter Finals and Semi-Finals will be provided with a copy of the opposing Team's Written Submission prior to the Oral Pleading Session.

8.5.4. The Quarter Finals will be held before a Bench of Two Judges and the Semi-Finals will be held before a Bench of Three Judges.

8.6. Finals

8.6.1. The sides for which the Teams will argue will be determined through a draw of lots.

8.6.2. The Team which is given the higher cumulative Oral Score would be declared as winner of the competition.

8.6.3. The winner of the Competition shall be determined on the basis of the highest total points determined in accordance with Rule 8.6.2. of the Rules and Regulations of the Competition.

8.6.4. The Teams will be provided with a hard copy of the opposing Team's Written Submission prior to the Oral Pleading Session. These must be returned to the OC in their original condition after the Oral Pleading Session.

8.7. Researchers' Test

8.7.1. The Researchers' Test shall be conducted on 19th March 2020.

8.7.2. In case of Teams with three members, only the Researcher, as designated under Rule 2.3 of the Rules and Regulations of the Competition, shall write the test and such Researcher shall not be allowed to address the Bench during the Oral Pleading Sessions.

8.7.3. In case of Teams with two members, either of the members may write the test. However, in such a situation the name of the person writing the test must be disclosed to the OC at the time of registration.

8.7.4. The duration of the Researchers' Test shall be 1 hour and it shall be in the Multiple Choice Question Format, Short Question Format and Long Questions Format.

8.7.5. The Researchers' Test shall test the knowledge of the laws involved as well as the factual details of the Moot Problem and the application of the relevant laws to the circumstances in the Moot Problem.

8.7.6. No notes, bare acts, books or any other material or electronic aid shall be permitted during the Researchers' Test.

9. EVALUATION CRITERIA FOR WRITTEN SUBMISSION

9.1. Written Submissions will be marked on a scale of 100 marks as per the following criteria:

Sl. No.	Marking Criteria	Maximum Marks
1.	Knowledge of Law and Facts	20
2.	Interpretation of Law and Application to Facts	20
3.	Use of Authorities	15

4.	Organization of Arguments	15
5.	Clarity of Thought	10
6.	Originality and Innovation	10
7.	Presentation Style	10
	Total	100

9.2. The total marks for the Written Submissions shall be calculated by deducting marks for violations, in accordance with Rule 6 of the Rules and Regulations of the Competition, from the total marks obtained by the team under Rule 9.1 of the Rules and Regulations of the Competition.

10. EVALUATION CRITERIA FOR ORAL PLEADING SESSIONS

10.1. In the Oral Pleading Sessions, the Speakers will be evaluated for 100 marks each by each Judge, as per the following criteria:

Sl. No.	Marking Criteria	Maximum Marks
1.	Interpretation and Application of Law	10
2.	Appreciation and Application of Facts	10
3.	Knowledge of Law and Facts	10
4.	Use of Authorities	10
5.	Response to Questions	10
6.	Organization of Arguments	10
7.	Clarity of Thought and Expression	10
8.	Argumentative Skills and Creativity	10

9.	Court Mannerisms	10
10.	Adherence to time	10
	Total	100

10.2. The decision of the Bench regarding the allocation of marks shall be final.

10.3. To ensure uniformity, each Judge will be briefed in advance regarding the marking criteria.

11. PRIZES AND AWARDS

11.1. The Winning Team shall be awarded a trophy and a cash prize of INR 60,000.

11.2. The Runners-Up Team shall be awarded a trophy and a cash prize of INR 45,000.

11.3. The Team with the Best Written Submissions shall be awarded a trophy and a cash prize of INR 15,000. The Team with the 2nd Best Written Submissions shall be awarded a trophy.

11.4. The Best Speaker in the Preliminary Rounds shall be awarded a trophy and a cash prize of INR 12,500.

11.5. The Best Researcher shall be awarded a trophy and a cash prize of INR 12,500.

12. MISCELLANEOUS

12.1. Accommodation shall be provided to the participants from forenoon 19th March to forenoon 22nd March. Teams within the city of Bangalore will not be provided with accommodation. Teams which intend to arrive prior to or leave after the specified dates are required to make their own arrangements.

12.2. The OC reserves the right to amend, modify, change or repeal any of the Rules and Regulations of the Competition. The OC will notify the Teams of any changes made in due course of time.

12.3. The OC reserves the right to take decisions on any matter not mentioned in the Rules and Regulations of the Competition. Any such decision taken by the OC shall be final and binding.

12.4. The OC reserves the right to interpret any of the Rules and Regulations of the Competition. Such interpretation shall be final and binding.

12.5. Any audio or video recording of oral pleadings by any team is prohibited.

ORGANIZING COMMITTEE

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