



**KASHMIR UNIVERSITY NATIONAL MOOT COURT COMPETITION, 2018**  
(2<sup>nd</sup> ó 4<sup>th</sup> September, 2018)

**RULES AND REGULATIONS**

**ORGANISED BY:**

**LAW SOCIETY**

**SCHOOL OF LAW, UNIVERSITY OF KASHMIR, SRINAGAR-190006**

**CHAIRPERSON**

**Dr. Fareed Ahmad Rafique**

**CONVENOR**

**Dr. S.A. Bhat**

**ORGANISING SECRETARY**

**Mr. Hakim Yasir Abbas**

**9596049501**

**7889697136**

**Aim:**

Written and oral advocacy are two basic skills required for an advocate. Moot courts develop not only these legal skills but also other skills such as legal analysis, reasoning, research and time management. The aim of moot court is to build confidence among the young law students and improve communication skills and presentation techniques. This competition aims at preparing the students for practical legal milieu.

**Short Title**

These rules and regulations shall be called Kashmir University National Moot Court Competition Rules and may be referred to as Competition Rules or Rules.

**Main Provisions**

1. The Kashmir University National Moot Court Competition, 2018 shall be held from 2<sup>nd</sup> to 4<sup>th</sup> September, 2018 at School of Law, University of Kashmir, Hazratbal, Srinagar, Kashmir 6190006.
2. The administrator of the Competition shall be the Law Society, School of Law, University of Kashmir, Hazratbal.
3. The Competition shall be conducted in accordance with the rules mentioned hereunder. For the purposes of this competition, it will be presumed that all participants have read and submitted to these rules. The participants are required to comply with the rules and procedures prescribed herein.

## KASHMIR UNIVERSITY NATIONAL MOOT COURT COMPETITION, 2018

### 4. Important Dates:

| Date   | Event  |   |
|--|--|---|
| 1 <sup>st</sup> June, 2018   | Release of Moot Problem and Registration Form  |   |
| 10 <sup>th</sup> July, 2018  | Last Date for Registration [Via Email]<br>[Scanned Copies of the Registration Form to be emailed to the organisers at<br>hyabbas@uok.edu.in]   |   |
| 11 <sup>th</sup> July, 2018  | Issue of Team Identification Number [TIN]  |   |
| 20 <sup>th</sup> July, 2018  | Last Date for Receipt of Hard Copies of Registration Form<br>Address:<br>Hakim Yasir Abbas<br>Assistant Professor<br>School of Law, University of Kashmir,<br>Hazratbal, Srinagar<br>Jammu and Kashmir<br>190006<br>9596049501 |   |
| 25 <sup>th</sup> July, 2018  | Last Date for requesting Clarifications about the Moot Problem   |   |
| 30 <sup>th</sup> July, 2018  | Issue of Clarification to the teams.   |   |
| 10 <sup>th</sup> August, 2018  | Last Date to Receive Soft Copies of the Memorials<br>[To be sent to hyabbas@uok.edu.in]  |   |
| 20 <sup>th</sup> August, 2018  | Release of List of Teams Selected for Oral Rounds  |   |
| 27 <sup>th</sup> August, 2018  | Last Date to Receive Hard Copies of the Memorials<br>Address:<br>Hakim Yasir Abbas<br>Assistant Professor<br>School of Law, University of Kashmir,<br>Hazratbal, Srinagar<br>Jammu and Kashmir<br>190006<br>9596049501         |   |
| 2 <sup>nd</sup> , 3 <sup>rd</sup> and 4 <sup>th</sup><br>September, 2018 | <b>Dates of Competition</b>  |   |
|  | 2 <sup>nd</sup> September  | Registration + Inaugural Ceremony +<br>Exchange of Memorials                    |
|  | 3 <sup>rd</sup> September  | Preliminary Rounds + Quarter Final<br>Rounds                                    |
|  | 4 <sup>th</sup> September  | Semi Final + Finals + Valedictory<br>Ceremony (including prize<br>distribution) |

**(Dates and timings are subject to change).**

### 5. Eligibility for Participation:

All students currently enrolled in L.L.B or B.A. L.L.B (5 years) degree programme, in any Law School/College/University/Institution are eligible for participation.

### 6. Team Composition:

Each team shall be composed of three (3) members (two speakers and one researcher).

A two (2) member team, in which both the members are speakers, is also eligible. No

change in team composition shall be permitted once the registration of the team has been confirmed by the organisers. No additional/observer member shall be entitled to hospitality or certificate.

Provided that, in case of any contingency or emergency, the researcher may substitute the mooter with prior permission of the organizers.

**7. Registration:**

- i. Only one team per institution is allowed to register in the competition.
- ii. A total of 25 (twenty-five) teams will be accommodated for the competition. In case the number of registrations exceeds twenty five, the short-listing of the teams will be done on the basis of memorial knock-out.
- iii. Team members shall clearly fill up the form with correct spelling of each team member's name and other details, as may be required in the registration form. The names entered in the form will be used for all official purposes such as issuing of certificates, etc.
- iv. The registration process involves following two steps:

○ **Step 1: Email**

Each team must register through electronic means by sending a scanned copy of the duly filled registration form to hyabbas@uok.edu.in latest by 10<sup>th</sup> July, 2018.

The form must be sent through the official email id of the Moot Court Committee (or faculty in charge of the moot court) of the institution of the participating team.

○ **Step 2: Post**

A hard copy of Registration form duly filled and signed must be sent to the below mentioned address through registered post latest by 20<sup>th</sup> July, 2018.

Address:

Hakim Yasir Abbas  
Assistant Professor  
School of Law, University of Kashmir,  
Hazratbal, Srinagar  
Jammu and Kashmir  
190006  
9596049501

- v. The official language, for all purposes of the competition, shall be English only.

- vi. The registration fees for the competition is Rs. 1000/- which is to be paid (in cash) on 2<sup>nd</sup> September, 2018 before the inaugural session.

**8. Team Identification Number (TIN):**

Each team shall be allotted a Team Identification Number along with the confirmation email and teams shall only use the TIN for their identification at any time after the confirmation. The teams are not allowed to disclose their identity in any manner, other than by referring to their TIN. The TIN shall be used for completing registration formalities and in the Memorial submissions.

**9. Written Submissions:**

- i. All Written Submissions must comply with the requirements mentioned in this part of the Rules. The teams are required to carefully read and understand the rules mentioned in this part as any failure to abide by these requirements shall be penalized accordingly.

- ii. Soft copies of the Memorials for each side must be submitted by 10<sup>th</sup> August, 2018 in both .docx and .pdf formats to email: hyabbas@uok.edu.in. The subject of the email must be "Memorial for TIN"; for e.g., if TIN allotted is "SLKU15" the subject should read as "Memorial for SLKU15"

Each document should be submitted after labelling the header for each page with TIN\_A for the Appellant(s)/Petitioner(s) side and TIN\_R for the Respondent(s) side.

Example:

For TIN allotted as "SLKU15"

- 1) SLKU15\_A > (Appellant(s)/Petitioner(s) side),
- 2) SLKU15\_R > (Respondent(s) side).

- iii. Five hard copies of the Memorials (of the teams selected for oral rounds on the basis of memorial knockout) must reach the below mentioned address latest by 27<sup>th</sup> August, 2018. Teams are required to bring extra copies of Memorials for their own use during oral submission rounds.

Address:

Hakim Yasir Abbas  
Assistant Professor  
School of Law, University of Kashmir  
Hazratbal, Srinagar

Kashmir ó 190006  
9596049501

The hard copies of the Memorials must bear a cover page in conformity with the following scheme:

Petitioner(s)/Appellant(s): Blue

Respondent(s): Red

The evaluation of Memorial would be done based on the soft copy submitted.

- iv. The Memorial must not contain any disclosure about the team such as name(s) of members of the team or associated organization, any mark, character, text or any other form of identification mark in any part of the Memorial. Such act will attract penalty provision as per these rules and the organisers reserve the right to disqualify the team from the competition upon such act.
- v. The Memorial must necessarily consist of the following sections and no other section is allowed:
  - a. Cover Page, which shall necessarily and only have the following details:
    - Team Identification Number [TIN] on the top right corner of the cover.
    - The name and place of the forum.
    - The relevant legal provision for filing the suit.
    - Name of the parties and their standing (Appellant, Petitioner, Respondent etc.).
    - Memorial filed on behalf of \_\_\_\_\_.
    - Counsel appearing on behalf of \_\_\_\_\_.
  - b. Table of Contents
  - c. List of Abbreviations
  - d. Index of Authorities
  - e. Statement of Jurisdiction
  - f. Statement of Facts
  - g. Issues for Consideration
  - h. Summary of Pleadings
  - i. Written Submissions
  - j. Prayer for Relief/s

- vi. Memorials must strictly adhere to the following general requirements:
- a. All Memorials must be printed in Black and White on standard A4 white paper ONLY.
  - b. The font used must ONLY be Times New Roman, Size 12, with double line spacing.
  - c. The font used in the footnotes must ONLY be Times New Roman, Size 10, with double line spacing. However, the space between consecutive lines of a single footnote may be single spaced, subject to uniformity throughout the Memorial.
  - d. Speaking footnotes are not allowed.
  - e. The Harvard Blue Book Style of footnoting (19th Edition) must be followed as far as practicable. As far as possible, footnoting must be uniform throughout the Memorial.
  - f. Each page of the Memorial must have a margin of one inch (1ö) on all sides. No text must be placed within this margin of the page, other than the page number and the TIN.
  - g. The Written Submission (pleading) shall not exceed 6000 words including footnotes.
  - h. The organisers shall reserve the right to not evaluate submissions which are not in conformity with the aforementioned rules.
  - i. No amendments whatsoever shall be permitted to be made to the Memorial after the online submission has been made.
  - j. The Teams are advised to bring their compendiums/white paper book. However, same should not in any manner disclose the identity of the participating teams or institutions.

vii. Evaluation of Memorials:

Memorials shall be evaluated on the following criteria:

|   |           |
|---|-----------|
| Application and appreciation of facts of the proposition          | 20 marks  |
| Identification, structuring and presentation of issues            | 20 marks  |
| Marks Ingenuity and logical reasoning                             | 20 marks  |
| Marks Application of legal principles, authorities and precedents | 20 marks  |
| Marks Lucidity, coherence and written composition of pleadings    | 10 marks  |
| Marks Proper footnoting and formatting                            | 10 marks  |
| Total <span style="float: right;">—————&gt;</span>                | 100 marks |

Applicable penalties shall be deducted from each of the Memorials after each Memorial has been evaluated. The penalties deducted shall, in no condition, cause the marks to be reduced below two-fifth (2/5) of the maximum marks.

**10. Researcher's Test:**

The Researcher's Test shall be conducted at the venue on 3<sup>rd</sup> September, 2018 before the start of the Preliminary Rounds to adjudge the Best Researcher.

**11. Oral Submissions:**

- i. The language of the Court shall be English only.
- ii. The time limit for the oral submissions shall be as per the respective rounds for each team.
- iii. This shall include the submissions of both the speakers from the team and the time reserved for rebuttal/sur-rebuttal.
- iv. The sur-rebuttal shall be limited to the rebuttals made by the opposing team.
- v. The time split between the speakers must be communicated to the bailiff prior to the commencement of each Round.
- vi. Teams should adhere to the time restrictions to avoid imposition of penalties. In an event where the judges are of the opinion that a certain exigency does require an extension of time, they may extend the cumulative speaking time for a team by a maximum of five (5) minutes.
- vii. There shall be no communication, oral, written or in any other manner whatsoever, between team members seated on the table and the speaker. However, the Researcher is allowed to pass chits to the speaker in an orderly manner without disturbing the decorum of the Court.

**12. Evaluation of Oral Submissions:**

The following scale shall be used to evaluate the teams ó

- Logical structuring and reasoning
- Ingenuity and originality
- Marshalling of facts
- Articulation of issues
- Presentation skills and communication ability
- Response to questions posed



- Application of legal principles
- Use of authorities and precedents
- Court etiquettes
- Covering all the areas of the problem
- Effective rebuttals

**13. Structure of the Rounds: The Oral round shall comprise of:**

- A. Preliminary Rounds
- B. Quarter Final Rounds
- C. Semi-Final Rounds
- D. Final Rounds

**A. Preliminary Rounds**

- a. There shall be two Preliminary Rounds. Every team shall be given the opportunity to argue from each side in the Preliminary Rounds the schedule for which shall be determined by a draw of lots.
- b. Each team will be given a total of 30 minutes to present their case which includes rebuttal and sur-rebuttal.
- c. The division of time between the speakers is at the discretion of the team members, subject to a maximum of 18 minutes for any one speaker. Each team shall indicate to the court-clerk the allocation of its 30 minutes.
- d. The scheme of evaluation for the preliminary round will be as follows:

Total Marks ó Five Hundred [Memorial + Round 1 + Round 2]

Division ó

| Category | Total Marks | Scheme of Division |     |              |
|----------|-------------|--------------------|-----|--------------|
| Memorial | 100         | Not Applicable     |     |              |
| Round 1  | 200         | Speaker 1          | 100 | Judge 1 - 50 |
|          |             |                    |     | Judge 2 - 50 |
| Round 2  | 200         | Speaker 2          | 100 | Judge 1 - 50 |
|          |             |                    |     | Judge 2 - 50 |
| Round 2  | 200         | Speaker 1          | 100 | Judge 1 - 50 |
|          |             |                    |     | Judge 2 - 50 |
| Round 2  | 200         | Speaker 2          | 100 | Judge 1 - 50 |
|          |             |                    |     | Judge 2 - 50 |
| Total    | 500         |                    |     |              |

- e. In case of a tie, the team with the higher memorial score will be considered as the winner of that round.
- f. The team which wins both the preliminary rounds automatically qualifies for the quarter final rounds.

However, in case there are more than eight teams who have won both the rounds, the qualification will be decided on the basis of the total marks scored by the teams [Memorial + Round 1 + Round 2].

Moreover, in case there are less than eight teams who have won both the rounds, the qualifying teams among those who have one win will be decided on the basis of the total marks scored by such teams [Memorial + Round 1 + Round 2].

**B. Quarter Final Rounds**

- i. The side to be represented by the qualifying teams shall be determined by a draw of lots.
- ii. Qualifying teams shall argue only for one side in the Quarter Finals. Each team shall get a total of 35 minutes to present their case. This time will include rebuttal and sur-rebuttal.
- iii. The division of time between the speakers is at the discretion of the team members, subject to a maximum of 20 minutes for any one speaker. Each team shall indicate the time allocation to the court clerk.
- iv. The Quarter Final Rounds shall be knockout rounds based on the points awarded by the judges.
- v. The Scheme of Evaluation for the Quarter Finals will be as follows:

Total Marks ó Two Hundred [200]

Division ó

| Total Marks | Division  |     |              |
|-------------|-----------|-----|--------------|
| 200         | Speaker 1 | 100 | Judge 1 - 50 |
|             |           |     | Judge 2 - 50 |
|             | Speaker 2 | 100 | Judge 1 - 50 |
|             |           |     | Judge 2 - 50 |

- vi. The four winning teams shall advance to the Semi-Final Rounds.

**C. Semi- Final Rounds.**

- i. The side to be represented by the team shall be determined by a draw of lots.
- ii. Qualifying team shall argue only for one side in the Semi Finals. Each team shall get a total of 40 minutes to present their case. This time will include rebuttal and sur-rebuttal.
- iii. The division of time between the speakers is the discretion of the team members, subject to a maximum of 22 minutes for any one speaker. Each team shall indicate to the courtóclerk the time allocation.
- iv. The Scheme of Evaluation for the Semi Finals will be as follows:

Total Marks ó Three Hundred [300]

Division ó

| Total Marks | Division  |     |              |
|-------------|-----------|-----|--------------|
| 300         | Speaker 1 | 150 | Judge 1 - 50 |
|             |           |     | Judge 2 - 50 |
|             |           |     | Judge 3 - 50 |
|             | Speaker 2 | 150 | Judge 1 - 50 |
|             |           |     | Judge 2 - 50 |
|             |           |     | Judge 3 - 50 |

- v. On the basis of knock out, 2 teams shall advance to the Finals.

**In case of a tie in any round (other than the Preliminary Rounds), the teams shall advance to the next round on the basis of highest memorial score.**

**D. Final Round**

- i. The side to be represented by the team shall be determined by a draw of lots.
- ii. Each team shall get a total of 45 minutes to present their case. This time will include rebuttal and sur-rebuttal.
- iii. The division of the time is the discretion of the team members, subject to a maximum of 25 minutes for any one speaker. Each team shall indicate to the courtóclerk the time allocation.

**14. Exchange of Memorials:**

- i. There shall be an exchange of memorials between the respective opposing teams in accordance with the fixtures as determined by a draw of lots, prior to all the Rounds of the Competition.

- ii. The teams are prohibited from making any marks on the exchanged Memorials.
- iii. The teams are prohibited from making any copies of the exchanged Memorials
- iv. At the conclusion of their respective Rounds, the teams are required to return the exchanged Memorials to the Bailiffs of the Court.

**15. Penalties:**

- i. Penalty shall be imposed on the Memorials subject to Rule 9(vii).
- ii. Failure to include all sections of the memorial [as mentioned in Rule 9(v)] or the inclusion of an un-enumerated section, shall be penalized with two (2) marks with each of such section.
- iii. Failure to include necessary information on the cover page of the memorial [as provided under Rule 9(v)(a)], or the use of a colour on the cover page contrary to the scheme mentioned under Rule 9(iii) shall be penalized with two (2) marks for each error
- iv. Disclosure of identity of team or the associated institution will result in disqualification.
- v. Delay in submission of Memorials shall be penalized with two (2) marks on the first day of delay, and with one (1) mark per day for every day thereafter, subject to a maximum cumulative penalty of five (5) points.
- vi. Incorrect Margins [as per Rule 9(vi)(f)] shall be penalized with Two (2) marks, being a onetime penalty only.
- vii. Exceeding total words in the memorial [as mentioned under Rule 9(6)(g)] shall be penalized with One (1) mark for 500 extra words.
- viii. Improperly prepared structure/format of any of sections mentioned under the Rules shall be penalized with Two (2) marks, being a onetime penalty only.
- ix. Delay in Appearance/Presentation:
  - a. If a team scheduled to participate in the oral submissions of a Round does not appear for ten (10) minutes after the scheduled commencement of such Round, the other team shall have to make oral submissions ex-parte.
  - b. The criteria of rebuttals shall not be considered for evaluation in such cases, in place of which, an average for the same would be

given on the basis of the marks scored by such team on the other criteria.

- x. Scouting:
  - a. Scouting by the speakers, researcher or any other person affiliated with a team will lead to immediate disqualification of such team.
  - b. Scouting shall be deemed to have happened if any person affiliated with a team is found:
    - Witnessing, hearing, observing, etc. the oral submissions in a Round, except where the Round is one in which the team to which he/she is affiliated is participating in; or
    - Reading a Memorial of a team except where:
      - It is of the team to which he/she is affiliated; or
      - The Memorials have been obtained on account of an exchange of memorials prior to a Round of the team to which he/she is affiliated.
- xi. Any Memorial found with plagiarism shall be subject to deduction up to three-fourth (3/4) of marks awarded towards Memorials, based on the extent of plagiarism.
- xii. Moot Court Committee reserves the right to amend/alter any rules necessary for the conduct of the National Moot Court Competition and any contravention to any rules shall incur the penalty of Two (2) marks.

**16. Accommodation and Travel:**

- i. University Guest House Accommodation shall be provided to the outstation participant/s subject to prior intimation, availability and payment of rent, to be borne by the participant(s), as applicable. Participants will have to make travelling arrangements at their own/their institutional expenditure.
- ii. Accommodation will be provided for the participating teams starting from 1<sup>st</sup> September, 2018 (evening) to the 5<sup>th</sup> September, 2018 (noon). Any extra guest shall not be entertained by the organisers.

**17. Code of Conduct:**

- i. The copyright in the memorials submitted by the teams shall vest with the School of Law, University of Kashmir. The acceptance of such vesting is a precondition to participation in the Competition.
- ii. Participants are required to observe a proper dress code i.e. Advocate's Uniform (including Gown and Band).
- iii. The court will follow its own rules of procedure within the frame work of accepted norms of judicial practice. On question of doubt or dispute in the manner of procedure of facts, the decision of the court shall be final.
- iv. Every team must maintain dignity and decorum in the court room. Inappropriate behaviour in the court room or blatant disregard for the procedures will result in instant disqualification or defaulting team will be incurred the reduction penalty of 05 points, as per the decision of the presiding judges.
- v. No participant will be allowed to enter the "control room" and any breach of this provision shall result in the immediate disqualification of the team.
- vi. Any participating team member having any grievances, queries or complaints shall communicate the same at [hyabbas@uok.edu.in](mailto:hyabbas@uok.edu.in) Any such representation made to a person except the designated email id shall not be entertained.

**18. Following are the awards for the competition:**

| Category  | Award   |
|---|---|
| Winner  | Winner's Trophy and Cash Prize of Rs. 5000/-  |
| Runner ó Up                                       | Runner Up Trophy and Cash Prize of Rs. 3000/- |
| Best Advocate (Final Round)                       | Trophy and Cash Prize of Rs. 2000/-           |
| 2 <sup>nd</sup> Best Advocate (Final Round)       | Trophy and Cash Prize of Rs. 1500/-           |
| Best Advocate (Preliminary Round)                 | Trophy and Cash Prize of Rs. 1200/-           |
| 2 <sup>nd</sup> Best Advocate (Preliminary Round) | Trophy and Cash Prize of Rs. 1000/-           |
| Best Memorial (Appellant)                         | Trophy and Cash Prize of Rs. 800/-            |
| Best Memorial (Respondent)                        | Trophy and Cash Prize of Rs. 800/-            |
| Best Respondent                                   | Trophy and Cash Prize of Rs. 500/-            |

