

# **THE OFFICIAL RULES & REGULATIONS**

**8<sup>th</sup> JUSTICE P.N. BHAGWATI INTERNATIONAL  
MOOT COURT COMPETITION ON HUMAN RIGHTS**

*'Quest for the excellence in Human Rights'*  
**(24<sup>th</sup>-25<sup>th</sup> March, 2018)**



**BHARATI VIDYAPEETH DEEMED UNIVERSITY  
NEW LAW COLLEGE, PUNE (INDIA)**

Re-accredited with 'A+' Grade by NAAC in 2017  
'A' Grade university Status by the Ministry of HRD, Govt of India

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# PREAMBLE

## **BHARATI VIDYAPEETH DEEMED UNIVERSITY NEW LAW COLLEGE, PUNE.**

*Pursuing our mission to spread fragrance of law and to ensure real taste of justice to the masses;*

*Chasing our goal of dissemination of the knowledge of the laws and professional expertise in the process of law;*

*Shaping the destiny of the students of law towards the making of good lawyers who are alive to the role that law plays in the social, political and economic advancements;*

*Making the students to uphold the dignity of human being;*

*Encouraging to foster respect for international treaty, obligations and promoting international mutual understanding;*

*Rejoicing and spreading the culture of human rights across the global setting by this Competition;*

***ADOPTS the following Official Rules & Regulations of the Competition by resolution of Members of the Organizing Committee:***

**1) Name of the competition:** 8<sup>th</sup> Justice PN Bhagwati International Moot Court Competition on Human Rights.

**2) Organizers:** Bharati Vidyapeeth Deemed University, New Law College, Pune (BVDU NLC), Re-accredited with 'A+' Grade by NAAC.

**3) Venue:** Bharati Vidyapeeth Deemed University, New Law College, Bharati Vidyapeeth Educational Complex, Erandawane, Paud Road, Pune, Maharashtra India-411038.

**4) Date:** 24<sup>th</sup> -25<sup>th</sup> March, 2018

**5) Subject Matter:** Hypothetical problem.

**6) Eligibility and Registration:**

All law schools, law faculties, and institutions with international law related degree programs are eligible to participate in the Competition. All determinations of eligibility are in the discretion of the Dean & Principal, BVDU NLC.

A person may be a Team Member if he or she:

- (a) is pursuing a law degree or an international law-related degree;
- (b) is enrolled at an eligible institution as a full-time student during the relevant Competition Year and plans to participate in the Competition on behalf of that institution;
- (c) has not engaged in the practice of law in any jurisdiction after graduating from any type of law degree program; and
- (d) is not pursuing any post-graduate degree programme from any university or institution.

7) The **last date** for registration will be **30<sup>th</sup> January, 2018**.

8) The number of participant teams shall be limited to **20**. The preference to teams shall be given in order of their registration. The organizing committee will have the sole and absolute discretion to short list the participants. The decision of organizing committee will be final and binding on all concerned.

9) The short listed teams will be required to reconfirm their participation and their acceptance of being bound by the rules of the competition within the time stipulated by the organizing committee.

10) It shall be compulsory for all the participants to be present at the inaugural programme, final Round and valedictory function of the competition. The organizing committee will not be liable for providing the certificates if teams fails to attend the function.

## **TEAM COMPOSITION**

Each team shall comprise of two speakers and one researcher. The team shall send their particulars to the organizers by the dates to be decided by the administrators, on the college letter-head duly signed by the Principal/Directors/Dean as the case may be. The teams shall additionally send their particulars by email to the organizers.

## **LANGUAGE**

The competition shall be conducted strictly in **English**.

## **ACCOMMODATION AND TRAVEL**

1. The organizers will not be responsible for making travel arrangements or providing any charges whatsoever for teams participating in the competition.
2. Teams will have to make their own travel arrangement from airport/station to the respective place of accommodation which shall be intimated to them well in advance by email.
3. The organizers will provide boarding and lodging for three days namely, 23<sup>rd</sup>, 24<sup>th</sup>, & 25<sup>th</sup> March, 2018 to three participants only.
4. The organizers will not be responsible for providing or arranging transport or accommodation for teams arriving prior to 23<sup>rd</sup> March, 2018.
5. The organizers will not be responsible for providing accommodation or transport to any other accompanying person with the team.
6. Within 15 days after receiving confirmation of participation from the Organizing Committee, the teams shall send their confirmed travel plan along with scanned copies of their air/train/bus tickets.
7. Accommodation and travelling services shall **not** be provided to the teams from law schools located in Pune.

## **COMPETITION ROUNDS:** (subject to change)

1. There shall be two (2) preliminary rounds of arguments per team, one from each side (subject to the number of teams participating).
2. There shall be semi-final round of four teams as per their rank in the preliminary round (there is **no** quarter-finals).
3. Final Round

## **MEMORIALS**

1. Each team shall submit memorials / written submissions for both the sides.
2. The memorial shall be typed on A4 size page in Font type: Times New Roman, Font Size; 12, Double spacing and 1 inch margin on each side, Footnotes Font Type: Times New Roman, Font size 10, single spacing.
3. The body of the Argument should not exceed 25 typed pages, **excluding** the Cover page, Table of contents, Index of authorities, Jurisdiction, Statement of facts, Legal issues, Summary of submissions, Title page, Annexure and Back cover. But these 25 pages will include the submissions, conclusions, appendices and footnotes. Any issue or submission, not discussed within the body of the Memorials, shall not be included in any other section of the Memorial. The maximum page limit for the entire memorial is 40 pages.
4. Eight copies of memorial for the Applicant and Eight copies of the memorial of the Respondent shall be submitted by each team. **One copy of the memorial for the Applicant and one copy of the memorial for the Respondent are required to be sent in advance by speed post to the organizers as per scheduled time.** The remaining six copies of the memorial (for the Applicant as well as Respondent) will be submitted at the time of arrival/draw of lots. Each team will be awarded a **code number** and that number alone shall be marked on the memorials and no induction shall be made for identifying the Institution/College of the participants. The Appellant/Respondent's Memorial must be differentiated by **blue cover for Applicant & red cover for Respondent.**
5. The hard copies of the memorials **one copy each from both the sides** must be reached to the organizing committee on or before **25th February, 2018.**
6. The soft copy of the memorial shall also be sent through e-mail to the organizers as on date specified in the official schedule annexed to the rules and regulations of this competition.

## **SCORING FOR MEMORIALS:**

1. The marking criteria for memorials shall be as provided herein under:

<b>Criteria</b>	<b>Marks Allotted</b>
Adhering to specifications on memorial	10
Substance of memorial (including legal research)	40
Presentations skills	20
Application of facts to the law	20
General Organization	10
<b>Total</b>	<b>100</b>

## **ORAL SUBMISSIONS**

The teams are required to **specify the speaker 1 and speaker 2** during the time of registration. This will remain unchanged in all rounds throughout the competition and the speakers have to appear in their respective order strictly. No change whatsoever in the order of appearance is allowed.

Each team shall get a total of **30 minutes** to present their case including rebuttal & surrebuttal during the preliminary / semi-final rounds.

The time to present the case during **the final round will be 45 minutes** including rebuttal & surrebuttal.

At the time of orientation program the teams will be notified about the reporting time to the respective court rooms. The teams are required to report to the court clerks.

1. The division of time is at the discretion of the team members.
2. The division of time must be communicated to the court officer before commencing arguments.
3. There shall be warning bell three (3) minutes before the completion of the allocated time for each speaker and there shall be a final bell on the completion of the allocated time.
4. If any speaker continues to speak after the completion of the allocated time, the additional time which he or she speak for will be deducted from the time

allocated to his or her co-speaker, as the case may be. However, no speaker shall be allowed to present his arguments beyond the maximum time.

5. Each speaker must introduce himself or herself to the court using only his identification code and team code given to him at the time of orientation.

### **SCORING FOR ORAL SUBMISSIONS:**

- Each speaker will be marked on a total of 100 marks per judge in each round aggregating to 200 marks.
- The marking criteria for oral submissions shall be as provided herein under.

<b>Criteria</b>	<b>Marks Allotted</b>
Knowledge and Application of law	35
Answer to Court Questions	20
Advocacy/ Presentations	20
Perusal of facts	15
Perusal of Memorials in the Course of Oral Submissions	10
<b>Total</b>	<b>100</b>

- The **team score** shall be the total marks awarded to both the speakers and shall be valid up to preliminary rounds only.
- The team score is applicable only till preliminary rounds and top 4 teams will be selected for semi-final on the basis of total score. Afterwards, respective winners of semi-finals (one from each court-room) will qualify for final, irrespective of their team score in preliminary rounds.
- The teams shall qualify into semi-final rounds solely on the basis of their total team score obtained in the preliminary rounds; which means that two teams from same court room may also qualify for the semi-final round.
- **From Each Court room** in the Semifinal Round, there will be one winner team which will qualify for the final round of the Competition.

## **JUDGES**

- Judges for the competition will be selected by the organizing committee.
- The decision of judges shall be final and binding.
- In no event or circumstances, the Teams shall approach the Judges during the competition for any reasons whatsoever. The Organizing Committee may, at its discretion, disqualify the Teams approaching Judges with immediate effect. Also, no such request made by any team shall be entertained by the Organizing Committee in this regard.
- Any request for review/ feedback by the Judges after the competition is over, shall be monitored by the Organizing Committee, after obtaining the due consent from the respective judge or judges. The Organizing Committee is not bound, on compulsory basis, to entertain any such request.

## **SCOUTING**

- a) No member of any team will be permitted to hear the arguments in any court rooms in which that team is one of the contesting teams whilst that team is still in the competition. They shall remain present in the lounge provided for them.
- b) No member of any team shall interact with any person except fellow participants and the organizers.
- c) Any team found in the violation of the above-mentioned rule shall be disqualified forthwith.
- d) Team found attempting to approach and influencing Judges, Administrators or Organizers shall be disqualified.

## **MISCELLANEOUS**

All participants are expected to maintain the decorum in the court during the competition and are expected to conduct themselves in a manner befitting the legal profession.

- (a) The organizers reserve the right to take appropriate action for any unethical, unprofessional and immoral conduct.
- (b) The dress code for the Participants shall be **Advocate's attire**.

- (c) The researcher is not allowed to argue in the Court room. However, he/she can pass on the hand written notes to the Speakers.

## **INTERPRETATION OF RULES**

- (a) The organizing committee's decision regarding the interpretation of rules or any other matter related to the competition will be final.
- (b) If there is any situation, which is not contemplated in the rules, the organizing committee's decision on the same shall be final.
- (c) The organizers reserve the right to vary, alter, modify, or repeal any of the above rules if so required and as they deem appropriate.

## **DISPUTES**

- (a) The teams seeking participation or participating in the competition shall honor and respect the spirit of the competition and endeavor to conduct by themselves accordingly.
- (b) In case of any dispute or difficulty arising out of or during the course of the competition, the organizing committee shall have the sole and absolute authority to remove such difficulty and resolve the dispute.

## **FORCE MAJURE**

The organizers reserve the absolute right to cancel, defer or postpone indefinitely, the competition in the event of the accruing of any such incident, natural or man caused.

## **DISCLAIMER**

- (a) Notwithstanding anything stated in the rules, the competition is the sole and overall responsibility of the organizers.
- (b) The organizers shall not be responsible for any dispute arising out of the team selection process in their respective colleges.
- (c) All material in the moot problem is fictitious and any resemblance to any incident or person, if any, is not intentional, but merely coincidental.

## **PRIZES**

The organizers will award the following prizes:

- |                     |  |
|---------------------|--|
| 1) Winners          | – Cash Prize of Rs.11000 INR and a winning trophy.         |
| 2) Runner Up        | – Cash Prize of Rs.7000 INR and a runner-up trophy.        |
| 3) Second Runner Up | – Cash Prize of Rs.5000 INR and a second runner-up trophy. |

### **❖ Any clarifications for the competition can be sought from:**

#### **Prof. Aman Mishra**

Faculty Co-ordinator

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