

AMITY LAW SCHOOL



2nd Amity National
Moot Court
Competition, 2017
(24th - 26th March)

For Moot Court Enquiry (09:30 a.m. to 04:30 p.m.)

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Amity University

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INVITATION LETTER

Ref. No.: AUH/ALS/2-ANMCC-2017

Dated: 5/12/2016

Dear Sir / Madam,

Greetings from Amity University!

Moot Court is a valuable exercise for law students to hone both their written and oral advocacy skills in this competitive field. At Amity Law School Gurgaon, Moot Court is an integral part of the academic curriculum and it is being regulated by the "Amity Law School Moot Court Society". Various internal Moot Court Competitions, Debates and other activities are being conducted by the Society to provide training and skill development for law students.

To give exposure to students pursuing law courses to the environment of the court system in India, to hone their advocacy skills and to provide a real life experience cum training in doing cutting edge research, presenting ground breaking arguments and contributing to the development of jurisprudence in concerned areas of law, Amity Law School organizes National Moot Court Competitions

1st Amity Law School National Moot Court Competition 2016 was organized from 1st April – 3rd April, 2016 with great success in which 36 teams had participated from every corner of the country. Lt Gen KM Seth, PVSM, AVSM (Retd), former Governor Tripura and Chhattisgarh was the Chief Guest in the inaugural session. After intense and well contested Preliminary, Quarter Final and Semi-Final Rounds National Law Institute University, Bhopal won the competition.

Now, it gives me immense pleasure to announce that Amity Law School Gurgaon is organizing the 2nd National Moot Court Competition – **2017** in association with SCC Online from **24th March – 26th March, 2017**. The competition will also witness presence of some of the best legal luminaries in the country, which certainly will prove to be a great learning experience. I wish all of you a great luck and look forward to your participation.

Do participate and enjoy our hospitality in the millennium city Gurgaon.

Best Wishes.

Maj. Gen. PK Sharma (Retd)
Director,
Amity Law School Gurgaon

BACKGROUND OF MOOT PREPOSITION

Indica is a sovereign, secular, socialist, democratic and republic country and its Constitution guarantees every person the right to follow their own religion, culture and customs, implementing their rules of personal laws covering property, marriage, divorce, inheritance and succession. Thus, it is often argued over the context that the implementation of Uniform Civil Code would go against Indica's secular fabric. Prevalence of discrimination against women, mistreatment and being subject to subjugation are due to extremely misogynistic and patriarchal society that allows the conventional rules to exist.

The word secularism is often misguided to rule minority rights over the human rights of an individual. Right to worship or to profess, practice and propagate any religion should not mislead the rights relating to marriage, inheritance or divorce including maintenance. The label of religion should not be used to exploit the weaker sections of the society. Uniform Civil Code is thus considered to be the only panacea to replace the personal laws based on the scriptures and customs of each major religious community in Indica with a common set governing every citizen

Apart from that, another problem faced by the society of Indica is that of Homosexuality. Dignity is ensured when it is freed from restrictions that impede its growth. All human beings, whether man or a woman or a transgender, recognized as the third gender, are born free into this world and should have equality to live with dignity. Each person in the society should be endowed with rationale and conscience as to ensure humanity and cease to foster any discrimination on the basis of their sexual orientation or gender identity. Seldom, a transgender is reckoned with dignity in the society. They are often subjected to prejudice because of their sexual orientation.

Also a rapid increase in the cases of surrogacy has given birth to new problem like commercial surrogacy. The economic scale of surrogacy in Indica is unknown, but estimates show that more than 25,000 children are being born through surrogates in Indica every year in an industry worth \$2 billion. Commercial surrogacy has only become a means to aid poor women financially by renting their womb. There is no uniform law in the country to restrict commercial surrogacy and enactment of such laws is the requirement to protect the interest of the poor women who come forward for surrogacy. Hence, this Moot problem is also framed with a view to spread awareness among youth and common section of society, to come forward and discuss the same.

MOOT PREPOSITION

1. The Democratic Republic of Indica, is a secular country located in Sub Continent of South Central Asia. Indica is a huge country with a glorious and rich heritage where exist multifarious religious groups. The Democratic Republic of Indica is the birthplace of major religions such as Hindus, Muslims, Christians & Others. Around 70% of Indicans are Hindus, 20% Muslims while 5% follow Christianity and remaining 5% follow other religions since time immemorial. The State does not owe loyalty to any particular religion and there is no State recognized place of worship or religion. Also the fundamental rights enshrined in the Constitution of Democratic Republic of Indica, to give to its people the freedom of worship and religion and to outlaw discrimination on the ground of religion. All religions are governed by their personal laws. Religious diversity and religious tolerance were both established in the country by law & custom.
2. Aslam Khan, who is an affluent and well known advocate by profession and wealthiest in the city of Kasol in Janakpur, was married to Nazia Yusuf, an illiterate woman, in October 1987. Nazia gave birth to two children within few years of marriage and even went through multiple miscarriages. After 16 years of marriage, Aslam Khan got married to a younger girl, named Noor Rizvi, in January 2003. After years of living together with both wives', unfortunately, in 2013 Aslam drove Nazia out of the matrimonial house without any reason. At that time, she was 41-year-old and did not have any source of income.
3. Till January 2016, Aslam Khan had apparently promised to give her Rs. 4000 per month. After that, in April 2016, Nazia filed a petition against Aslam under section 125 of CrPC in the Court of Chief Judicial Magistrate, Kasol asking for maintenance @ Rs. 8000 per month in lieu of the professional income of Aslam which was Rs. 60,000 per month, claiming that she had no means to support herself and her children. In December 2016, Aslam divorced Nazia by an irrevocable talaq, which was his prerogative under Muslim law, and took up the defense that Nazia has ceased to be his wife and therefore, claimed that there was no obligation on him to give her maintenance. In January 2017, Chief Judicial Magistrate directed Aslam to pay Rs. 6000 per month by way of maintenance. Aggrieved by the decision of Chief Judicial Magistrate, Kasol, Nazia with the help of NGO "JAN KALYAN" which is an organization working for the welfare of needy- families and women in distress, filed a Writ Petition in the Hon'ble High Court of Janakpur for the

enhancement of maintenance. The NGO also claimed that Uniform Civil Code should be made so that the personal laws do not override the rights of women to claim maintenance.

4. At that time the NGO “JAN KALYAN” filed another petition in the Hon’ble High Court of Janakpur regarding whether a Hindu husband, married under Hindu Law, by embracing Islam, can solemnize second marriage. In this case a woman named Sunita Mehra was legally wedded to Ranvijay Kapoor on 06 February 2009, a daughter was born out of this wedlock. In early 2014, Sunita Mehra was shocked to learn that her husband had solemnized second marriage with Nureen Saeed. The marriage was solemnized after conversion of his religion from Hindu to Muslim and changing his name from Ranvijay Kapoor to Rahim Khan. According to Sunita Mehra, conversion of her husband to Islam was only for the purpose of marrying Nureen Saeed and circumventing the provision of section 494 of Indian Penal Code. Sunita Mehra, then approached the NGO “JAN KALYAN”. This matter was clubbed and highlighted with the earlier petition filed by the NGO.
5. When these sensational social issues regarding the drafting of Uniform Civil Code were in discussions, another incident came into light regarding surrogacy done by homosexuals which was also related to the implementation of Uniform Civil Code. In this incident, Abbey and Aldo, both of them Christians by religion, were a homosexual couple who also lived in the State of Janakpur. They had been in live-in relationship since 2005. Due to incapability of conceiving a child and both of them being desirous of starting a family, they started looking for a surrogate mother. In the year 2013, they identified an Agency, based in New Delhi, which offered surrogacy to homosexual couple for high fees. They signed an agreement with this Agency for conducting surrogacy, which would be traditional surrogacy, in which Abbey being the genetic father of the child and the woman being the genetic mother. Both the parties agreed and signed the document for a sum of Rs. 10 lakhs on 10 January 2016.
6. In February 2016, a traditional surrogacy was carried out on the woman named Radhika Ghosh, an illiterate woman with a poor family background, who was compelled into this commercial surrogacy by her family. On 20th November, 2016 a healthy baby boy was born to the surrogate mother. An Appreciation Reward of about Rs.1,50, 000 was also given to Radhika Ghosh for giving birth to a baby boy. In the meantime, Radhika Ghosh

refused to give custody of the child as she had become emotionally attached to the child and she also claimed that she should decide whether she wanted to give the baby or not as that was what the surrogacy agency had told her at the time she decided to carry the child. Similarly, many incidents of women being forced into such commercial surrogacy also surfaced.

7. After about one month, on 14th December, 2016 The Surrogacy Act, 2016 was passed by Parliament seeking a ban on homosexuals and live-in couples from opting for surrogacy. The Act also banned commercial surrogacy. The Act came into force in the wake of curbing unethical practices within the country. Abbey filed a Petition in the High Court claiming the custody of the child, and Constitutional validity of The Surrogacy Act, 2016 which according to him violated the right to life of same sex couples. Abbey also contented that homosexuals must be provided recognition within the country and their right to live with dignity must be protected wherein they must be allowed to have their conjugal rights.
8. Almost all the news channel in the country broadcasted the news highlighting injustice done to Nazia Yusuf, Sunita Mehra and Abbey, who had been inversely affected due to the application of personal laws of different religions. A huge hue and cry was raised by different sections of the society. In the meantime, no law had been passed by the Parliament regarding the Uniform Civil Code but a Notification was published in the Official Gazette dated on 29/12/2016 in which Central Board of Directors of the Reserve Bank of India recommended that Bank Notes of denomination of existing series of the value of Rs. 500 and Rs 1000 shall cease to be legal tender.
9. On the basis of series of incidents such as surrogacy, maintenance and conversion of religion for bigamy, the Hon'ble High Court of Janakpur clubbed and admitted all Petitions, on 15/01/17, and issued show cause notice for the same to all the concerned parties including Radhika Ghosh.
10. The matter being of public interest and national importance, the Hon'ble High Court, after hearing the concerned parties, perused and examined the record. Number of day to day hearings were given to both sides and to some interveners. The Hon'ble High Court held on 05/02/2017 as under:
 - i) Homosexuality is an offence u/s 377 of IPC. Surrogacy done by homosexuals does not have any right over the child born and commercial surrogacy should not be allowed.

ii) Directed the Parliament that Uniform Civil Code needs to be drafted and implemented. Also notwithstanding the separate Muslim Personal Law system, Nazia Yusuf is entitled to maintenance u/s 125 of CrPC.

iii) Rahim Khan (Ranvijay Kapoor) having been previously married under Hindu Law and his second marriage with Nureen Saeed by embracing Islam was void.

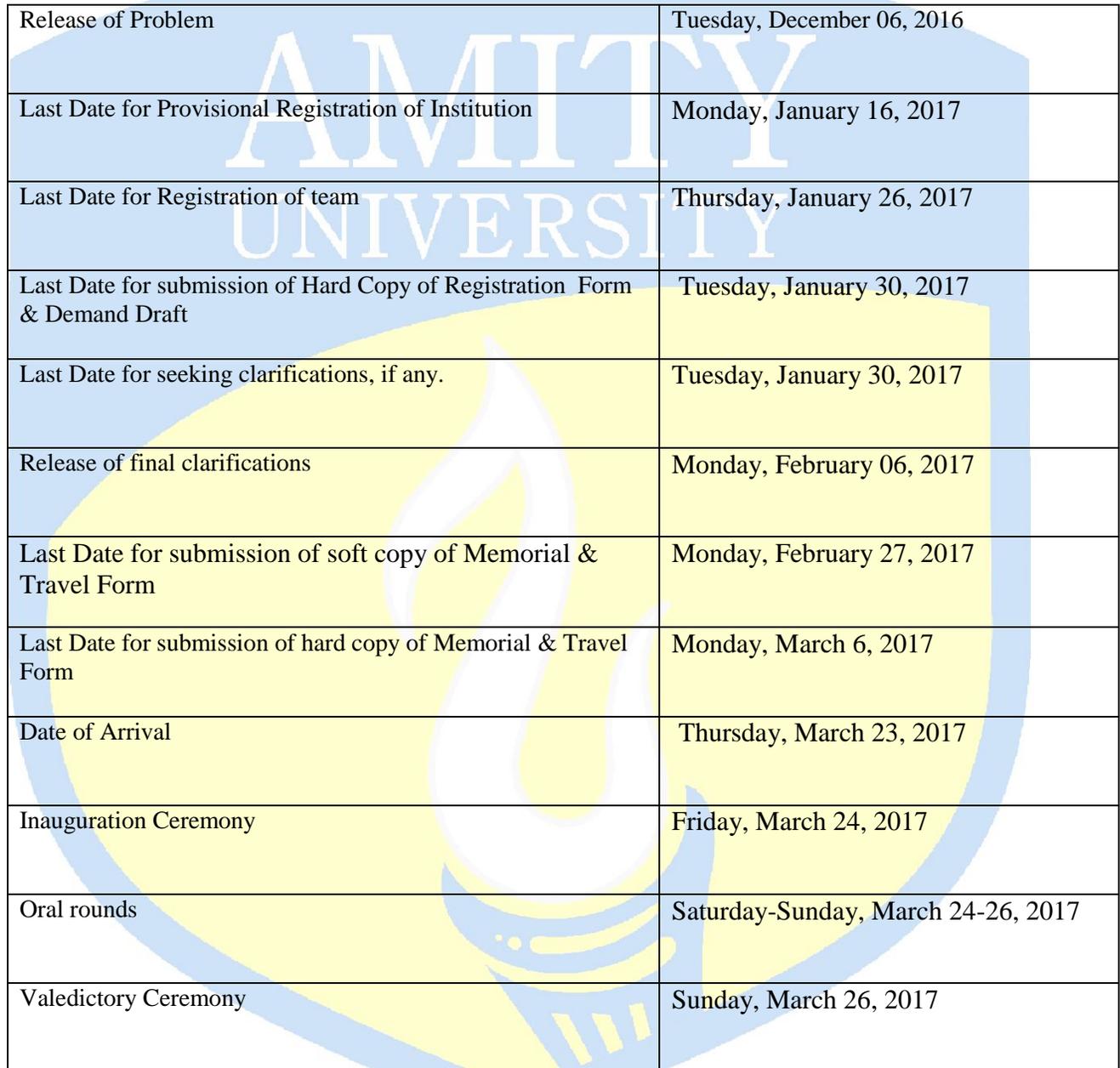
11. Aggrieved by the decision of the High Court of Janakpur, Abbey filed a Special Leave to Appeal petition on 15/02/2017 challenging the validity of Section 377 of IPC and Surrogacy Act, 2016. Later, on 17/02/2017, AIMPLB (All India Muslim Personal Law Board) also filed a Special Leave to Appeal petition representing the whole Muslim community, claiming that the direction given by the High Court for drafting of Uniform Civil Code is violating the secularism which is a part of the basic structure of the Constitution included Article 25 & 26. Both the SLPs were admitted and clubbed as these issues were previously dealt with together in the Hon'ble High Court of Janakpur. Now these matters are pending for hearing on 23/03/2017.

Notes:

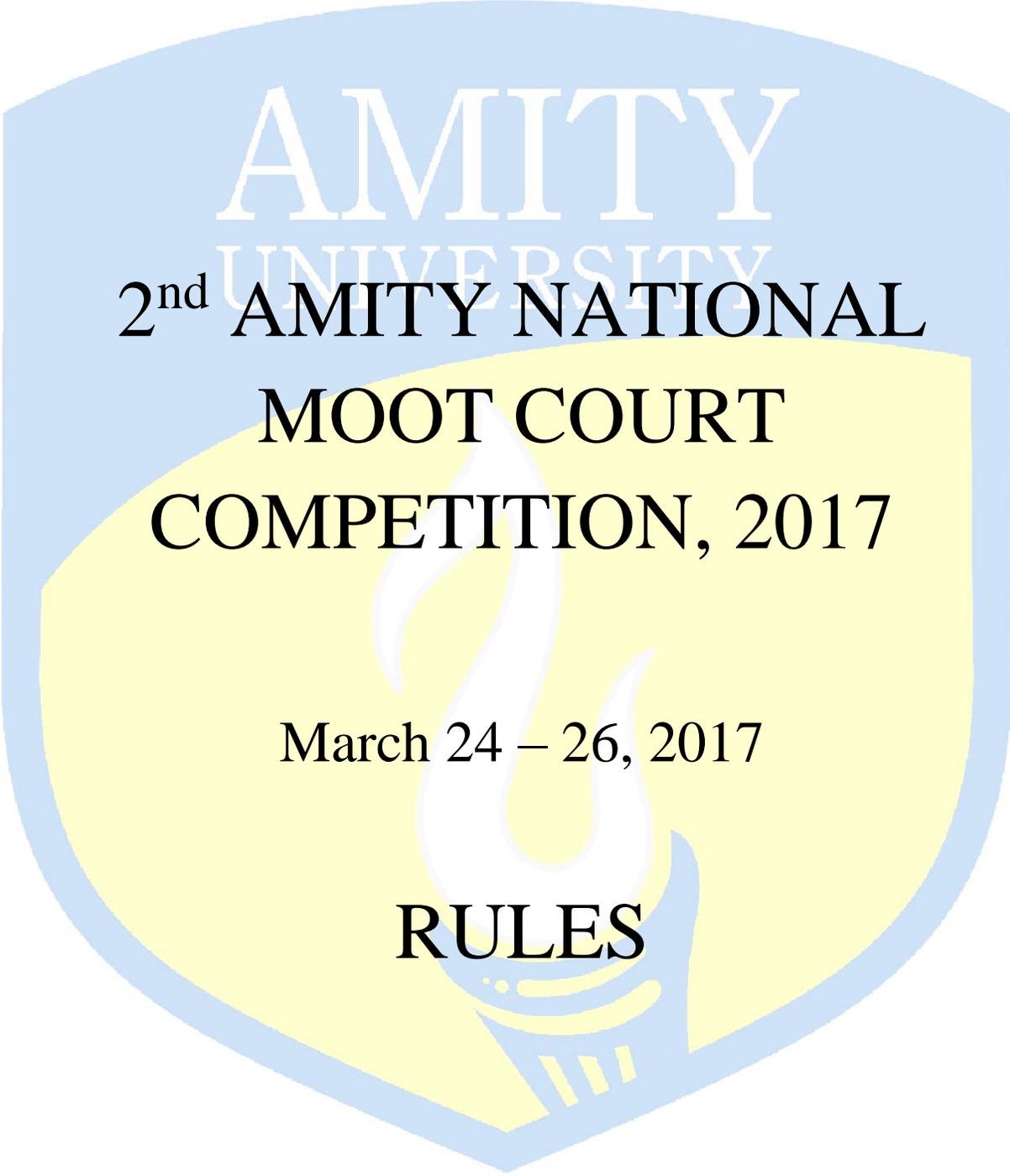
- 1. Any attempt to contact the Author in relation to the Moot Proposition shall lead to the disqualification of the Team.**
- 2. The laws, case laws and constitutional provisions of India are analogous to the ones in India in the year 2017.**
- 3. The Proposition is neither intended to nor does it attempt to resemble any incident or any person, living or dead. Any such resemblance is purely coincidental. The Proposition is a fictitious factual account prepared for the purposes of the present Competition only and it does not attempt to influence or predict the outcome of any matter whatsoever.**
- 4. On behalf of both the Petitioner and the Respondent, draft petitions and make oral arguments based on the above information.**
- 5. The Surrogacy Act, 2016 is pari materia to The Surrogacy Bill, 2016 which is still pending in the Parliament of India.**

2nd AMITY NATIONAL MOOT COURT COMPETITION, 2017

TIMELINE

The background of the table features a large, semi-transparent watermark of the Amity University logo. The logo consists of the word "AMITY" in a large, serif font above the word "UNIVERSITY" in a smaller, sans-serif font. Below the text is a stylized flame or torch icon. The entire logo is set against a light blue and yellow circular backdrop.

Release of Problem	Tuesday, December 06, 2016
Last Date for Provisional Registration of Institution	Monday, January 16, 2017
Last Date for Registration of team	Thursday, January 26, 2017
Last Date for submission of Hard Copy of Registration Form & Demand Draft	Tuesday, January 30, 2017
Last Date for seeking clarifications, if any.	Tuesday, January 30, 2017
Release of final clarifications	Monday, February 06, 2017
Last Date for submission of soft copy of Memorial & Travel Form	Monday, February 27, 2017
Last Date for submission of hard copy of Memorial & Travel Form	Monday, March 6, 2017
Date of Arrival	Thursday, March 23, 2017
Inauguration Ceremony	Friday, March 24, 2017
Oral rounds	Saturday-Sunday, March 24-26, 2017
Valedictory Ceremony	Sunday, March 26, 2017



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**2nd AMITY NATIONAL
MOOT COURT
COMPETITION, 2017**

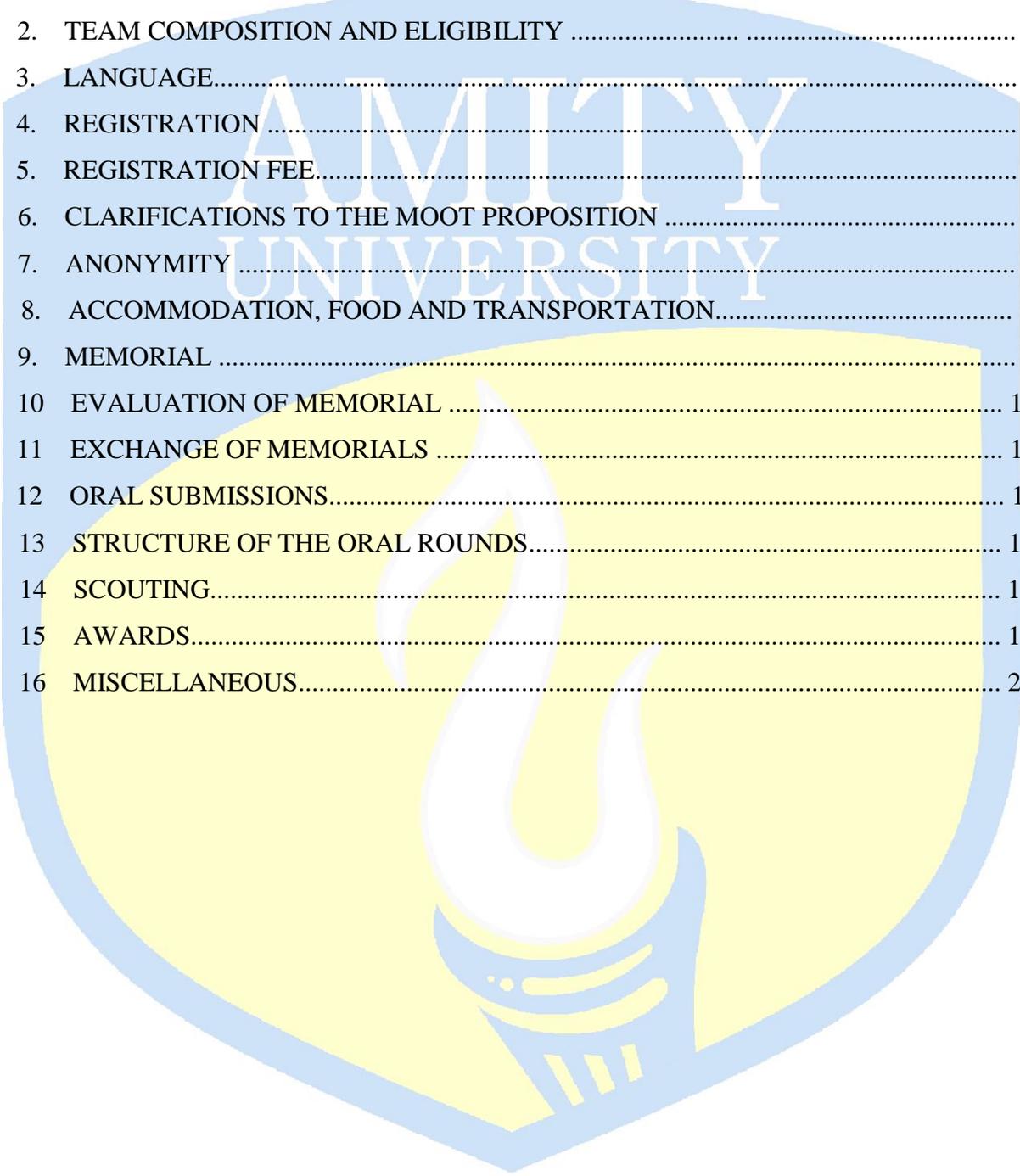
March 24 – 26, 2017

RULES

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2nd AMITY NATIONAL MOOT COURT COMPETITION, 2017

RULES

1. DEFINITIONS

- 1.1. “*Competition*” means the 2nd Amity National Moot Court Competition, 2017.
- 1.2. “*Court Bailiff*” refers to the student volunteer who shall be entrusted with duties such as maintenance of order in a courtroom during a round and letting Speakers know the time duration for which they’ve spoken.
- 1.3. “*Institution*” means any recognized law school/college or university.
- 1.4. “*Memorial*” means the written arguments submitted, on behalf of both the Petitioners and Respondents, according to the official Competition Rules by each Team. Memorials are also referred to as written pleadings.
- 1.5. “*Organizing Committee*” includes the members of the ALS Moot Court Committee.
- 1.6. “*Petitioner*” means the party which is presenting a petition to the court alleging the commission of a wrong.
- 1.7. “*Preliminary Screening Chart*” means the chart that has been prepared on the basis of Memorial scores wherein the top 50% teams with higher marks are made to face the bottom 50% teams in the preliminary oral rounds.
- 1.8. “*Researcher*” means the team member whose role is confined to preparation of the Memorial and is not allowed to speak in the oral rounds.
- 1.9. “*Respondent*” means the party against whom the petition is filed.
- 1.10. “*Rules*” means these official Competition Rules and any applicable supplements to these Rules published by the Organizing Committee.
- 1.11. “*Speaker*” refers to the members of the team who will be pleading before the Judges in the oral rounds.
- 1.12. “*Valedictory Ceremony*” refers to the closing ceremony of the 2nd Amity National Moot Court Competition, 2017, wherein the distribution of prizes shall also take place.

2. TEAM COMPOSITION AND ELIGIBILITY

2.1 Students pursuing the three or five year courses of the LL.B. degree or its equivalent in the academic year 2016 - 2017 from Institutions all over India are eligible to participate.

2.2 Any Institution shall be entitled to send only 1 (one) team to the Competition.

2.3 The participating team shall comprise of three members. In an exceptional case with the approval of Organizing Committee a team may comprise of two members, and one of the Speaker will also be designated as Researcher. In a team of three members, two members shall be designated as Speakers and the third member of the team shall be designated as a Researcher.

2.4 No additional member or team coach is allowed to accompany the team.

3. LANGUAGE

The official language of the competition shall be English.

4. REGISTRATION

4.1 The Institution should provisionally register themselves by sending an e-mail to alshmoot2016@gmail.com, latest by **January 16, 2017 (23:59 hours IST)**.

4.2 Institutions must complete their registration by sending an e-mail to alshmoot2016@gmail.com, latest by **January 26, 2017 (23:59 hours IST)**. The email should include a scanned copy of the duly filled registration form.

5. REGISTRATION FEE

5.1 The Registration Fee is INR 4000 for teams. Teams must make the payment of such amount through Demand Draft in favor of 'Amity University Haryana' payable at New Delhi.

5.2 The teams shall be required to pay the Registration Fee only after they have received confirmation mail by **26th January, 2017**.

6. CLARIFICATIONS TO THE MOOT PROPOSITION

6.1 Clarifications and doubts will only be entertained through emails, sent to alshmoot2016@gmail.com latest by **January 30, 2017 (23:59 hours IST)**.

6.2 A full list of clarifications shall be released by **February 06, 2017**.

7. ANONYMITY

7.1 Each participating team shall be allotted a team code upon Registration.

7.2 Teams shall not disclose, in any manner whatsoever, for the entire duration of the Rounds, either their own individual identities or the identity of the Institution that they represent, even if asked by the Judges.

7.3 The team shall not disclose their identity anywhere in their written Memorials and instead should use the code allotted.

7.4 Non-compliance with the Rules 7.2 and 7.3 shall result in immediate disqualification of the participant/team.

7.5 The decision of ALS Moot Court Organizing Committee in this regard shall be final.

8. ACCOMMODATION, FOOD AND TRANSPORTATION

8.1 Accommodation shall be provided to all teams by the Organizers from the evening of **March 23, 2017 to the evening of March 26, 2017**. Teams who intend to arrive prior to or leave after the specified dates are required to inform the Organizing Committee in advance.

8.2 Food and Transportation to and from the venue shall be provided to all the teams for the aforementioned duration.

8.3 Once the Demand Draft has been submitted and the registration is completed, the teams shall be asked to submit the travel plan.

8.4 Teams are **not permitted** to leave the premises prior to the specified date.

9. MEMORIAL

9.1 Each team shall prepare a Petitioner and a Respondent Memorial.

9.2 One soft copy (**in MS Word .doc/.docx & pdf format**) each must be emailed to alshmoot2016@gmail.com latest by **February 27, 2017 (23:59 hours IST)** with the subject **“Memorials for Team Code__”**. The file names of the electronic copies of the Memorials must contain only the team code and the side being represented in the following format: e.g. (for Team Code 10) 10P or 10R, ‘P’ being for ‘Petitioner’ Memorial and ‘R’ for ‘Respondent’ Memorial and so forth.

9.3 The Memorial for each side should be submitted as one single file and not in multiple files. Any violation of this rule shall invite penalty in accordance with rule 9.7.

9.4 Six (6) hard copies for each side of the Memorial must be submitted to the organizers at the time of registration on **March 6th 2017**.

9.5 The hard copies must be identical to the soft copy. Violation of this rule would entail disqualification from the Competition.

9.6 Format of Memorials

9.6.1 The Memorials shall necessarily consist of only and only the following sections:

- a) Cover Page
- b) Table of Contents
- c) List of Abbreviations
- d) Index of Authorities (with page number where the authority has been cited)
- e) Statement of Jurisdiction
- f) Statement of Facts (not exceeding 2 pages)
- g) Arguments Presented
- h) Summary of Arguments (not exceeding 2 pages)
- i) Arguments Advanced (not exceeding 20 pages)
- j) Prayer (not exceeding 1 page)

9.6.2 Each Memorial shall have the following and only the following on its cover page:

- a) The team code on the upper right hand corner of the cover page
- b) The name and place of the forum
- c) The relevant legal provision under which it is filed
- d) Name of parties and their status
- e) Memorial Filed on Behalf of ___

9.6.3 Teams shall cite authorities in the Memorial using footnotes following the Harvard Bluebook 19th Edition. Explanatory or illustrative footnotes are not allowed.

9.6.4 The Memorial shall be printed on A4 size paper, with the following mandatory formatting specifications:

- a) Font Type: Times New Roman
- b) Font Size: 12
- c) Line Spacing: 1.5

d) Margins: 1 inch on each side.

For footnotes, the formatting specifications are:

a) Font type: Times New Roman

b) Font Size: 10

c) Single Line Spacing

9.6.5 The Memorials shall be spiral bound. The following colour scheme shall be followed for the Cover Page of the Memorial:

Petitioner: Blue

Respondent: Red

9.7 Penalties

Late Submission	1 mark per memorial every 12 hours after the deadline of submission; disqualification beyond 48 hours
Wrong File Name	1 mark per Memorial
Failure to submit Memorial as one file	1 mark per Memorial
Exceeding page limits (Refer to Rule 9.1.1)	1 mark per exceeding page
Failure to include the sections in the Memorial (Refer to Rule 9.1.1)	3 marks per section
Failure to include the required information on the cover page (Refer to Rule 9.1.2)	1 mark per violation
Failure to comply with Bluebook 19th Edition for Footnotes	0.25 mark per footnote
Wrong Font Size as per Rule 9.1.4	0.5 mark per page
Wrong Font Style as per Rule 9.1.4	0.5 mark per page
Wrong Line Spacing as per Rule 9.1.4	0.5 mark per page

Wrong Margins as per Rule 9.1.4	0.5 mark per page
Failure to use the correct color coding as per Rule 9.1.5	2 marks per Memorial

10. EVALUATION OF MEMORIAL

10.1 Every Memorial will be marked on scale of 100.

10.2 The Memorial shall be evaluated according to the following criteria:

10.2.1 Knowledge of Law and Facts: 20 Marks

10.2.2 Proper and Articulate Analysis: 15 Marks

10.2.3 Depth and Use of Research: 15 Marks

10.2.4 Organization and presentation: 15 Marks

10.2.5 Grammar and Language: 10 Marks

10.2.6 Novelty of arguments: 15 Marks

10.2.7 Clarity of Thought and Originality: 10 Marks

11. EXCHANGE OF MEMORIAL

11.1 There shall be an exchange of Memorials between the respective opposing teams, in accordance with the fixtures as determined by Seeding, prior to all the rounds of the Competitions.

11.2 The teams are prohibited from making any marks on the exchanged Memorials.

11.3 The teams are prohibited from making any copies of the exchanged Memorials.

11.4 At the conclusion of their respective Rounds, the teams are required to return the exchanged Memorials to the Court Bailiffs of that Court Room.

12. ORAL SUBMISSIONS

12.1 The time split between the Speakers must be communicated to the Court Bailiff prior to the commencement of each Round. Once so informed, these timings shall not be changed.

12.2 Use of any electronic gadgets is not permitted during the course of oral proceedings.

12.3 Teams can pass on compendium of the sources they cite in their Memorials if so permitted by the Judges.

12.4 Team scores shall not be disclosed after every round. Teams must not make any attempt to gather any such information, until notified by the Organizing Committee.

12.5 Delay in appearance for a round exceeding five (5) minutes will render disqualification of the team for that round. In such a case, their opponent shall make their oral submissions *ex parte*.

12.6 Evaluation shall be done on the basis of the following criteria:

12.6.1 Knowledge of Law: 20 Marks

12.6.2 Application of Law to Facts: 20 Marks

12.6.3 Ingenuity and Ability to Answer Questions: 20 Marks

12.6.4 Use of Authorities 15 Marks

12.6.5 Style, Poise, Courtesy, Demeanor: 10 Marks

12.6.6 Time Management and Organisation: 10 Marks

12.6.7 Effective Rebuttals: 05 Marks

12.7 Preliminary Rounds

12.7.1 Each team will have the opportunity to argue from both the sides.

12.7.2 Time limit for the oral submissions shall be thirty (30) minutes for each team. This shall include the submissions of both the Speakers from the team and the time reserved for rebuttal/sur-rebuttal. No Speaker may reserve more than fifteen (15) minutes for his/her individual oral submissions.

12.7.3 No team shall be allowed more than 5 minutes for rebuttal or sur- rebuttal.

12.7.4 The sur-rebuttal shall be limited to the rebuttals made by the opponent team.

12.7.5 Only one (1) Speaker from each team shall be permitted to rebut/sur-rebut.

12.8 Quarter Final Rounds

12.8.1 Time limit for the oral submissions shall be thirty (30) minutes for each team. This shall include the submissions of both the Speakers from the team and the time reserved for rebuttal/sur-rebuttal.

12.8.2 The sur-rebuttal shall be limited to the rebuttals made by the team.

12.8.3 No Speaker may reserve more than fifteen (15) minutes for his/her individual oral submissions.

12.8.4 Only one (1) Speaker from each team shall be permitted to rebut/sur-rebut, as the case may be, subject to a maximum time limit of five (5) minutes.

12.9 Semi Final Rounds

12.9.1 Time limit for the oral submissions shall be forty-five (45) minutes for each team. This shall include the submissions of both the Speakers from the team and the time reserved for rebuttal/sur-rebuttal.

12.9.2 No Speaker can speak for more than 25 minutes for his/her individual oral submissions.

12.9.3 No team shall be allowed more than 05 minutes for rebuttal/sur-rebuttal.

12.10 The Final Round

12.10.1 Time limit for the oral submissions shall be forty-five (45) minutes for each team. This shall include the submissions of both the Speakers from the team and the time reserved for rebuttal/sur-rebuttal

12.10.2 No Speaker can speak for more than 25 minutes for his/her individual oral submissions.

12.10.3 No team shall be allowed more than 05 minutes for rebuttal/sur-rebuttal.

13. STRUCTURE OF THE ORAL ROUNDS

13.1 The Oral Rounds of the Competition shall be held over a period of two days i.e., **March 25 and 26, 2017**. The Inaugural Function, Orientation program and Researcher Test shall be held on **March 24, 2017**.

13.2 RESEARCHER'S TEST: The "Researcher Test" shall take place on **March 24, 2017**. Only the Researcher, as indicated in the team registration, shall take the Researcher test. A Speaker can only take the Researcher Test if the team comprises of two Speakers only.

13.3 The Competition shall consist of four sets of rounds: two Preliminary Rounds, the Quarter Final Rounds, the Semi Final Rounds and the Final Round.

13.4 Preliminary Rounds

- 13.4.1** The Preliminary Rounds shall be held on **March 25, 2017**. In the Preliminary Rounds, each team shall have to argue twice, once as the Petitioner and once as the Respondent
- 13.4.2** No team shall be provided with any information regarding the identity of their opponent team or any other team.
- 13.4.3** No two teams will argue against each other more than once in the Preliminary Rounds
- 13.4.4** The top 8 teams based on their win/loss ratio and their scores in the Preliminary Rounds, shall qualify for the Quarter Final Rounds. Following shall be the system for determining the teams that advance to the Quarter Final Rounds:
- 13.4.5** If there are more than 8 teams that have a Win Loss ratio of 2:0, then out of such teams, the top 8 teams based on their Total Preliminary Score, shall qualify for the Quarter Finals.
- 13.4.6** If there are less than 8 teams that have a Win Loss Ratio of 2:0, then firstly, all such teams that have a Win Loss Ratio of 2:0 shall advance for the Quarter Finals Rounds. Secondly, amongst the rest of the teams that have a Win Loss Ratio of 1:0, the remaining spots in the Quarter Final Rounds shall be filled, based on the Total Preliminary Score of such teams.
- 13.4.7** If there continues to be a tie, then the team with the higher Memorial scores shall qualify to the Quarter Final Rounds.
- 13.4.8** Total Preliminary Score is the total score obtained by both the Speakers (including the rebuttal score) in both the Preliminary Rounds. Total Preliminary score does not include the memorial scores.
- 13.4.9** Win Loss Ratio is the ratio of number of Wins versus the number of Loss in the Preliminary Rounds

13.5 Advanced Rounds

- 13.5.1** All the advanced rounds will be knock- out rounds
- 13.5.2** For deciding match-ups in case of Quarter Final Rounds, the teams shall be seeded again on the basis of their Win Loss Ratio and Total Preliminary Score.

13.5.3 While seeding the teams for the Quarter Final Rounds, first preference shall be given to the teams that have a Win Loss Ratio of 2:0. Thereafter, the rankings shall be decided on the basis of Total Preliminary Score. If a tie still continues, then the team with higher Memorial score shall be seeded higher.

13.5.4 For the Semi Final Rounds, seeding shall be done on the basis of the Total Score obtained by team in the Quarter Final Rounds.

13.5.5 The side a team will be arguing in the Quarter Final Rounds will be decided by a draw of lots, with the Teams picking the lots.

13.5.6 Team will be credited with a win in the Quarter Final Rounds if its total oral round marks are higher than that of the Opponent Team. Memorial marks will not be considered in the Quarter Final Rounds as well.

13.5.7 In case of a tie, the marks obtained in the Memorials will be considered. The Team with the higher score will win.

13.5.8 A similar procedure will be followed for the Semi Final Rounds and the Final Round, except in case of a tie in the Final Round, the ratio of the judgment delivered by the Bench shall be used to declare the winner.

14. SCOUTING

14.1 Scouting is not permitted and it shall be deemed to have happened if the Speakers, Researcher or any other person affiliated with a team is found:

14.1.1 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;

14.1.2 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.

15. AWARDS

15.1 Winning Team: Trophy, Cash Prize and 3 SCC Online Web Edition Card.

15.2 Runners Up: Trophy, Cash Prize and 3 SCC Online Web Edition Card.

15.3 Best Memorial: Trophy and 3 SCC Online Web Edition Card.

15.4 Best Speaker: Trophy, Cash Prize and 1 SCC Online Web Edition Card.

15.5 Best Researcher: Trophy, Cash Prize and 1 SCC Online Web Edition Card.

16. MISCELLANEOUS

- 16.1 The final decision regarding Implementation and interpretation of Rules regarding Moot Court practice and procedures lies with the Organizing Committee.
- 16.2 If any one of the members of a team is notified or informed of any detail or information concerning the Competition, it shall be deemed as if the said team as a whole has been duly notified or informed.
- 16.3 The dress code to be adhered to for the duration of the Competition is - Ladies: Black Western or Indian formals. Gentlemen: Black Western formals.
- 16.4 The Proposition is neither intended to nor does it attempt to resemble any incident or any person, living or dead. Any such resemblance is purely coincidental. The Proposition is a fictitious factual account prepared for the purposes of the present Competition only and it does not attempt to influence or predict the outcome of any matter whatsoever.
- 16.5 The copyright in the Memorials submitted by the teams shall vest with Amity Law School, Gurgaon. The acceptance of such vesting is a precondition to participation in the Competition. The Rules governing the conduct of the Competition should be strictly adhered to. Any deviation thereof can attract penalties or disqualification at the sole discretion of the Organizing Committee.
- 16.6 Registration fee paid are non-refundable.
- 16.7 The Organizing Committee reserves the right to amend, alter, vary or change, in any manner whatsoever, the Rules governing the Competition, which would be communicated to the teams within a reasonable period of time
- 16.8 The Chairperson of the Organizing Committee of Amity Law School, Gurgaon shall be the final arbiter for these Rules and any such decision made by him on any issue/dispute arising in relation to the Competition shall be final and binding on all concerned.
- 16.9 The Organizing Committee, as mentioned in these Rules, refers to the Moot Court Committee of the Amity Law School, Gurgaon.

Organizing Committee

Chief Patron:

Prof. Dr. P.B. Sharma,
Vice Chancellor
Amity University Gurgaon

Patrons:

Prof. Dr. Padmakali Banerjee,
Pro Vice Chancellor
Amity University Gurgaon

Major Gen. P.K. Sharma,
Director,
Amity Law School

Faculty Convener:

Mr. Pranshul Pathak,
Coordinator,
Amity Law School

Ms. Monica Yadav
Asst. Professor
Amity Law School

Moot Court Coordinators:

Mr. Bineesh Kumar (Asst. Professor)

Ms. Nidhi Sharma (Asst. Professor)

Student Convener:

Mr. Mayank Shekhar (09717274702)

2nd AMITY NATIONAL MOOT COURT COMPETITION- 2017

AMITY LAW SCHOOL, GURGAON

(24th -26th March, 2017)

Registration Form

Name of Institution: _____

Address: _____

City: _____ State: _____ Pin: _____

Particulars of Team Members:

1. Name of Speaker: _____
Gender: _____ Sem. /Year: _____
Email: _____
Contact: _____ Signature _____

2. Name of Speaker: _____
Gender: _____ Sem. /Year: _____
Email: _____
Contact: _____ Signature _____

3. Name of Researcher: _____
Gender: _____ Sem. /Year: _____
Email: _____
Contact: _____ Signature _____

Person to whom communication relating to the Competition should be sent:

Name: _____

Email: _____

Contact No.: _____

Details of Registration Fees:

Demand Draft No.: _____ Draft Dated: _____

Name of the Bank: _____

Branch: _____

Demand Draft should be drawn in favour of “Amity University Haryana” payable at New Delhi. Please mention name of the participants and the Institution on the reverse of the original DD and Send the form along with DD on the following address:

Moot Court Society,
Amity Law School, Amity University,
Amity Education Valley, Manesar
Gurgaon (Haryana) -122413

Please bring the confirmation mail sent by Amity University Haryana to the registration desk to facilitate the registration process.

Sign of Head of Institution

Seal of Institution

2nd AMITY NATIONAL MOOT COURT COMPETITION- 2017

AMITY LAW SCHOOL, GURGAON

(March 24th to 26th 2017)

TRAVEL DETAILS

ARRIVAL DETAILS

Date	
Time	
Mode of Travel	
Train/Flight Name	
Train/Flight No.	
Arrival Place	

DEPARTURE DETAILS

Date	
Time	
Mode of Travel	
Train/Flight Name	
Train/Flight No.	
Departure Place	

Contact Person: _____

Contact Number: _____

(At least 2 contact no.)

Note: Pick up and drop location for the participants would be IGI Airport, Gurgaon Railway Station and IFFCO Chowk Metro Station.