

FIRST YEAR ONLY

FAIRFIELD INSTITUTE OF MANAGEMENT AND

TECHNOLOGY

SCHOOL OF LAW

11th INTRA COLLEGE MOOT COURT COMPETITION

First year Booklet

FIRST YEAR ONLY

SCHEDULE

{For Participants of 1stYear}

<u>DATE</u>	<u>EVENT</u>
17 th August 2018	Release of Moot Problem
6 th September 2018	Deadline for Submission of Registration
7 th September 2018	Workshop for Making Memorials
7 th September 2018	Allotment of Team Codes
7 th September 2018	Deadline for Receiving Question Seeking Clarifications
20 th September 2018	Deadline for Submission of Soft Copy of Memorials
24 th September 2018	Deadline for Submission of Hard Copy of Memorials
25 th September 2018	Workshop for Pleading, Moot Court Ethics
8 th October 2018	Inaugural Ceremony Draw of Lots Researcher Test
9 th October 2018	Preliminary Rounds Draw of Lots Exchange of Memorials
10 th October 2018	Quarter Finals Draw of Lots Exchange of Memorials Semi Finals Draw of Lots Exchange of Memorials
13 th October 2018	Finals and Valedictory Ceremony

FIRST YEAR ONLY

FAIRFIELD INSTITUTE OF MANAGEMENT AND TECHNOLOGY

SCHOOL OF LAW

11th INTRA COLLEGE MOOT COURT COMPETITION

RULES AND REGULATIONS

General Rules:

1. “**Participating Team**” means the team which has registered itself for the Competition as per the Rules given below.
2. All the Rules are only inclusive and not exhaustive for the competition.
3. Rules should be strictly adhered to. Any deviation there from would attract disqualification or other penalties mentioned subsequently.
4. All decisions by the Organizers in case of any disputes/ doubts etc. will be final. The Organizers may make such rules and procedures at any point of time, as they deem fit. Imposition of penalties including disqualification rests solely with the Organizers in case of failure to comply with the rule(s) and deadline(s).

I. Date and Venue:

The 11th Intra-College Moot Court Competition 2018 shall be held from **8th -13th October, 2018** at Fairfield- School of Law.

II. Language:

The official working language of the Moot Court Competition shall be **English**.

III. Eligibility:

The competition is open for all the bonafide students of Fairfield- School of Law of all semesters.

- i) 1st year student
- ii) 2nd -5th year student

IV. Dress Code:

During all the Days of the competition the participants shall be in Formal wear only.

FIRST YEAR ONLY

- i) Male participants are required to wear a Full Formal Suit i.e. Black Trousers, White Shirt, Black Tie, Black Coat and Black Formal Shoes.
- ii) Female participants are required to wear a Full Formal Suit i.e. Black Trousers, White Shirt, Black Coat and Black Formal Shoes or Indian Formal Dress i.e. White Salwar Suit Along With Black Coat And Black Bellies.

V. Team Composition:

- i. Each team shall consist of 3 members. This number cannot be modified under any circumstances. Two of them shall be designated as a Speakers and one researcher.
- ii. Teams shall identify the speakers and researcher during registration. No extra member or observer shall be allowed.
- iii. Any additional member of any Participating Team shall not be entitled for hospitality or for any award. Such member or observer shall not be allowed to watch any of the rounds of the competition.
- iv. Each team will have a Team Code.
- v. Teams shall not disclose their identity except in the registration form. Any such disclosure shall invite strict penalty including disqualification. The decision for the same shall be at the discretion of the Organizers.

VI. Registration:

- i) The Participants are required to submit a duly filled registration form along with the Passport Size Photographs latest by **6th September, 2018**. (Forms shall be available on the website of Fairfield Institute of Management and Technology).
- ii) No forms received after the deadline shall be considered for registration.
- iii) Every Participating Team will be allotted a team code which will be communicated through Notice Board.

VII. Allotment Of Team Codes:

- i) Each Team shall be allotted a Team Code on **7th October, 2018**.

FIRST YEAR ONLY

VIII. Rounds:

- i. There shall be a Preliminary Rounds, a quarter-final round, a semi-final round and a final round. Lots picked by the teams will decide the side of the arguments in Preliminary, Quarter-Finals, Semi-Finals & Final Rounds.
- ii. Orientation & draw of lots shall take place on **8th October 2018**.
- iii. There shall be two preliminary rounds wherein every Participating Team shall be required to argue once from each side.
- iv. Top sixteen teams will qualify for the Quarter- Finals at the end of the Preliminary Rounds. The first eight teams will be selected based on their oral scores in the Preliminary Rounds plus the scores in the memorials.
- v. Scores in the researchers' test will be used to resolve a tie.

IX. RESEARCHER'S TEST:

- ❖ It shall be mandatory for all the Researcher to appear for Researchers Test of 100 Marks.
- ❖ Researcher Test will objective questions to the general understanding of law and to the respective moot proposition.
- ❖ Researcher Test will be for one hour.
- ❖ Researcher Test will be held on **8th October, 2018**. However, depending upon the exigencies, the Moot Court Society may in its discretion re-schedule the Researcher Test.

X. Memorials:

The following requirements for memorials must be strictly followed and any non-compliance of the same shall attract penalties.

- i. Each team must prepare memorials for both the sides.
- ii. The Memorials shall be consistent with the Indian Law Institute format.
- iii. Once the Memorials have been submitted, no revisions, supplements or additions will be allowed.
- iv. The last date for submitting the Memorials (for both Appellant and Respondent sides) in soft copy is **20th September, 2018** latest by **11:59 pm (23:59 Hours)**. The

FIRST YEAR ONLY

Memorials so submitted shall be judged for the “Best Memorial” Award.

v. **Eight (8)** copies from each side of the memorials (excluding copies for use by the team) should be submitted latest by **24th September, 2018**.

vii. It shall be the sole responsibility of the respective Participating Teams to ensure that the correct number of copies of the Memorials is submitted to the Organizers within the prescribed deadline.

XI. Format of Memorials.

a) **Cover Page:** The cover page of the memorial must state the following:

- Team Code on upper Left-hand side corner.
- The case title
- Color of the cover page must be:
Blue in case of Petitioner/Appellant
Red in case of Defendant/Respondent.
- The Party for which the Memorial has been prepared.

b) **The table of contents.**

c) **The list of Abbreviations**

d) **The index of authorities/ table of cases.**

e) **The statement of jurisdiction.**

f) **The statement of facts.**

g) **The statement of issues.**

h) **The summary of arguments.**

i) **The arguments advanced/ body of arguments.**

j) **The prayer**

XII. Memorial general format:

- **Spacing:** 1.5 Line Spacing
- **Margins:** One inch margin on all sides of each page.
- **Font:** The font for the body of the memorial shall be Times New Roman, size 12.
The font for the footnotes shall be Times New Roman, size 10, line spacing 1.0.
- Memorials must be spiral bound only.

FIRST YEAR ONLY

- Page numbering should be at the bottom middle of each page.
- The memorials must not contain any annexure / photographs / sketches/ exhibits / affidavits, etc.
- Teams shall cite authorities in their Memorials by way of a uniform style of citation.
- The Memorial shall not exceed 35 pages in all. Arguments shall not exceed 25 pages.
- The Memorials shall not, in any way, disclose any fact pertaining to the identity of the Participating Team or its Members so represented.

XIII. Marking of Memorials

Every Memorial shall be marked on a total of 100 marks and the team memorial marks will be the average of the total of both sides. The following shall be the marking scheme:

S. No.	Criteria	Marks Allotted
1.	Knowledge of Facts and Law	20
2.	Analysis, Organization and Clarity	20
3.	Extent and Use of Authority	20
4.	Correct Format and Citation	15
5.	Originality in Presentation/ Drafting	15
6.	Grammar and Style	10
	GRAND TOTAL	100

FIRST YEAR ONLY

XIV. Evaluation of Oral Submissions:

The Marking Scheme for the evaluation of the oral arguments shall be done in the following manner:

S. No.	Criteria	Marks Allotted
1.	Knowledge of Facts and Law	20
2.	Logic and Reasoning to apply the Legal Principles	20
3.	Ingenuity & Ability to answer questions	20
4.	Time Management and organization	20
5.	Court Etiquettes/ Deference to the court	10
6.	Persuasiveness	10
	GRAND TOTAL	100

XV. PRELIMINARY ROUNDS:

- ❖ There shall be Preliminary Round on **9thOctober, 2018** and every team shall be given the opportunity to argue for one side.
- ❖ Each team shall get a Total Time of **15 Minutes** to present their case. Any extension of time beyond the specified period shall be subject to the discretion of the judges.
- ❖ The Division of time between the speakers is the discretion of the team members, subject to a maximum of 8 minutes for one speaker.
- ❖ Before the commencement of the round, each team shall indicate to the “court officer” as to how they wish to allocate their time.

XVI. QUARTER FINALS:

- ❖ The Quarter Finals Round will be held on **10thOctober, 2018:1st Year**
*At the end of the Preliminary Round, the **Top 16 Teams** will qualify for the Quarter Finals.*
- ❖ The side to be represented by a team shall be determined by way of draw of lots with the team picking the lots after the completion of the preliminary rounds.

FIRST YEAR ONLY

- ❖ Each team shall get a Total Time of **20 minutes** to present their case and this shall include the time for ‘rebuttal’ and ‘Sur-rebuttal’. Any extension of time beyond the specified period shall be subject to the discretion of the judges.
- ❖ The division of time between the speakers is the discretion of the team members, subject to a maximum of **10 minutes** for one speaker.
- ❖ Before the commencement of the round, each team shall indicate to the “court officer” as to how they wish to allocate their time

XVII. SEMI-FINALS:

- ❖ The Semi-Finals will be held on **10th October, 2018 for 1st Year**
- ❖ The Semi-Finals shall be a Knock-Out Round.
- ❖ At the end of the Quarter Round, the **Top 4 Teams** will qualify for the Semi-Finals.
- ❖ The side to be represented by a team shall be determined by way of draw of lots with the team picking the lots after the completion of the Quarter-final rounds
- ❖ Each team shall get a total of **25 minutes** to present their case and this time will include the time for ‘rebuttal’ and ‘Sur-rebuttal’. Any extension of time beyond the specified period shall be subject to the discretion of the judges.
- ❖ The division of time between the speakers in the discretion of the team members, subject to a maximum of 12 minutes for one speaker.
- ❖ Before the commencement of the round, each team shall indicate to the “court officer” as to how they wish to allocate their time.

XVIII. FINALS:

- ❖ The Final Round will be held after the Semi-Finals on **13th October, 201**. At the end of the Semi- Finals Round, the **Top 2 Teams** will qualify for the Finals. Any extension of time beyond the specified period shall be subject to the discretion of the judges.
- ❖ Each team shall get a total of **30 minutes** to present their case and this time will include the time for ‘rebuttal’ and ‘sub-rebuttal’.
- ❖ The division of time between the speakers is the discretion of the team members, subject to a maximum of **18 minutes** for one speaker.

FIRST YEAR ONLY

- ❖ Before the commencement of the round, each team shall indicate to the “court officer” as to how they wish to allocate their time.

XIX.SCOUTINGS:

Team shall not be allowed to observe the oral submissions of any other team. Scouting is strictly prohibited.

XX.Awards:

- ❖ Winner Award
- ❖ Runner up Award
- ❖ Best Speaker
- ❖ Best Memorial
- ❖ Best Researcher

XXI. DECISION OF THE JUDGE SHALL BE FINAL:

The decision of the judges regarding the outcome of the rounds shall be final.

NOTE: For more information about the Competition visit the website <http://www.fimt-ggsipu.org/>

FIRST YEAR ONLY

MOOT PROBLEM

1. Mrs. Neelam Wason (hereafter referred to as the Complainant), aged – 23 yrs, married to Mr. Pawan Wason on 23rd May 2016 as per Hindu Rites and Rituals, has proceeded with a legal complaint against her husband and her In-laws.
2. In pursuance of the same, an FIR was lodged by the Complainant (No. 91/18) at Dwarka Police Station (PS) against her husband , Mr. Pawan Wason(hereafter referred to as Accused No. 1), her Father-in-law, namely Anil Wason(hereafter referred to as Accused No.2), her Mother-in-law, namely Laxmi Anil Wason(hereafter referred to as Accused No.3), and one Mrs. Neela Kumari , the Aunt-in-law (hereafter referred to as Accused No. 4).
3. The Complainant has been repeatedly harassed mentally and physically by Accused No. 1, 2, 3 & 4 and the said harassment has been taking place since the day of the Complainant’s wedding ceremony as the food provided in the ceremony was deemed insufficient for Accused No.2 & 4 and their guests.
4. The Complainant’s father besides having incurred an expenditure of Rs.3,20,00,000/- and providing a BMW X6, along with 100 tolas of gold as ‘STRIDHAN’ on the abovementioned wedding ceremony was compelled and tortured to bring in more money.
5. Further, since the parents of the complainant were unable to pay a sum of Rs.70,00,000/- she had been coerced to bring in the same amount failing which she has been physically and mentally harassed by all the four accused.
6. Also, Accused No.3 took away all the gold ornaments presented to the Complainant at the time of the Wedding.
7. Accused no.2 and 4 in collusion, to malign the character of the complainant and her family, picked petty fights with her, sent her back to her maternal house and categorically warned the father to keep a check at the misdemeanor, ill conduct and misbehavior of their daughter.
8. The complainant further asserts that Accused No.1 has been physically abusing her as he found out about her alleged affair in April 2017 with one Mr. Pankaj, brutally beat her up and assassinated her character as he believed complainant maintained physical relations with other men, where after he dropped the complainant back to her maternal house.

FIRST YEAR ONLY

9. After amicable settlement between her father and her in-laws, she was taken back to her matrimonial house on the condition that she would give in writing that she would not commit suicide. The Complainant alleged that after her refusal of the same, she was sent back to her maternal house and was told to stay away from Accused No. 1.
10. It is further averred by the Complainant that in May 2017, the Accused, fed up with her constant threats to commit suicide, filed a non-cognizable case against the Complainant with the Dwarka PS and after settling the dispute in the PS, the complainant was brought back to her matrimonial house.
11. It is further alleged that due to constant disputes and petty arguments between the Complainant and her In-laws, she was asked to shift out where after the complainant and Accused No. 1 rented a flat in Dwarka Sector 12
12. It is reiterated by the Complainant that she would be beaten up on several occasions as he deemed the complainant unchaste who indulged with many other men, also asserts that she had been abused by Accused no.1 who also threatened to kill her on 6th Dec 2017 as she insisted on going to her maternal house to attend her Niece's Birthday.
13. The complainant stated that after unrequited recurrent quarrels between the couple, the Accused decided to break all ties with the Complainant after which she was forcefully driven back to her maternal house and thrown off at Najafgarh Road in 25th December 2017 at 10.00 a.m.
14. The complainant submitted that about 4.00.p.m. on the very same day, she received a call from her Brother-in-Law; one Mr. Manu Anil was on informing her that Accused No.1 has left their house at Palam leaving behind a letter explaining the same.
15. Subsequently, the complainant has filed an FIR on 27th March 2018 at 14.50.hrs for offences punishable under Sections 498(A), 406, 323, 34, 504, 506 of the IPC, 1860.
16. **The accused in apprehension of getting arrested files for an anticipatory bail in the Hon`ble High Court. The final hearing is to be held in the Delhi High Court on 13th October 2018.**

FIRST YEAR ONLY
REGISTRATION FORM

Instruction:

All participating teams are requested to fill in the details in **Capital Letters**. Please read **Rules & Regulations** of the competition before submitting this registration form.

SPEAKER I: _____
Course and Sec: _____
Enrollment ID: _____
Gender: _____
Mobile Number: +91 _____
Email ID: _____

Please affix your
passport size photo

SPEAKER II: _____
Course and Sec: _____
Enrollment ID: _____
Gender: _____
Mobile Number: +91 _____
Email ID: _____

Please affix your
passport size photo

RESEARCHER: _____
Course and Sec: _____
Enrollment ID: _____
Gender: _____
Mobile Number: +91 _____
Email ID: _____

Please affix your
passport size photo

I Speaker

II Speaker

Researcher

Note: *Please put your signatures as per the team configuration.