

**6th SURANA & SURANA
AND**

**SCHOOL OF LAW, RAFFLES UNIVERSITY
NATIONAL LABOUR LAW MOOT COURT
COMPETITION 2023-24**

3RD NOVEMBER- 5TH NOVEMBER 2023

VIRTUAL (ONLINE)

☎ 9971944508, 8882115409

✉ mcc@rafflesuniversity.edu.in

🌐 www.rafflesuniversity.edu.in

☑ For registration - www.moot.in

Media Partner & Knowledge Partner



LABOUR LAW

ABOUT RAFFLES UNIVERSITY, NEEMRANA



Raffles University Neemrana, established by an Act of Rajasthan State Legislature, as per Section 2(f) of UGC Act 1956, is a multi-disciplinary university providing worldclass education through its various schools, namely:

- ◆ School of Law
- ◆ Alabbar School of Management
- ◆ School of Engineering & Technology
- ◆ School of Basic & Applied Sciences
- ◆ School of Agricultural Sciences
- ◆ School of Pharmacy
- ◆ School of Humanities & Social Sciences

Raffles University is situated in NCR at Neemrana, on Delhi-Jaipur National Highway No. 48, is just 90 km away from Delhi International Airport and is also connected by a six-lane expressway and by the railway line at Rewari Junction. The distance from Jaipur is 140 Kms.

The **state-of-the-art infrastructure** with all modern facilities, built on a sprawling 50 acres of land, is set in an **unpolluted serene environment** in the lap of Aravali hills. The University is based on the “GURUKULA” concept, whereby the students move away from the rough and tumble of stressful existence to the quieter environment of the University in Neemrana. This ambiance, enables a strong bond between teacher and pupil, ensuring thereby greater attention to instruction as well as education free of distraction and impediments. And yet, it is not as if the Gurukul is insular in nature.

Students are encouraged to explore and expand the frontiers of their knowledge through broad Internet and interactions. Raffles University provides an environment for open discussion between the faculty and students which is designed to ignite the urge to explore and learn beyond boundaries. The confluence of minds and cultures from all over the world provides the ambiance for shaping students into global citizens and leaders. The **diversity** and **flexibility** of options of courses to choose from are aimed at enabling students to pursue studies most suited to their intellect and talent. This enables the students to discover, nurture and expand their talents, skills, and interests so that they emerge as **leaders** and **path breakers** wherever they go.

ABOUT SCHOOL OF LAW



SCHOOL OF LAW OF RAFFLES UNIVERSITY IS A RARE RESOURCE FOR AFFORDABLE LEGAL EDUCATION, IN AN ENERGETIC " GURUKUL" ENVIRONMENT.

School of Law conventionally runs Law Clinics that provide legal services to those who cannot, otherwise, access these services. With the help of the District Legal Services Authority, under the banner of Rajasthan State Legal Services Authority, the school has been continuously running legal clinic movements and has, had a large impact on access to legal services, to the local community. The school, in collaboration with Surana & Surana International Attorneys and with Rajasthan Education Trust Jaipur, every year organises Surana & Surana National Labour Law Moot Court Competition and C.L.Agarwal Memorial National Moot Court Competition respectively.

If one looks at Raffles School of Law, alumni career choices, one finds that it has produced good legal academics as our alumni are with big corporate firms and some are practising in the Supreme Court and State High Courts and even others are engaged in the teaching profession.

MESSAGE FROM THE FOUNDER



LATE SHRI VINOD KUMAR GOMBER
FOUNDER CHAIRPERSON

Raffles University was founded by Late **Shri Vinod Kumar Gomber**, an alumnus of Harvard Business School, a towering human being gifted with compassion and ethics, and the will to impart holistic, value-based education, to the youth of this nation and beyond. He led the **EMAAR Group, Dubai**, as the CEO of Worldwide Infrastructure Operations. His message to the youth was:-

"Be inspired, broaden your horizons, aim for excellence and achieve all your dreams."
- Vinod Kumar Gomber

Shri Gomber created Raffles in the model of a "**Gurukul**" with the aim of imparting holistic education, not only to enable "**employability**" but to provide knowledge to a person to find his identity and the meaning and purpose in life. He was also a fervent believer in spiritual values with a desire to connect to nature and the community. The noble impulses within Shri Vinod Kumar Gomber were so assertive and awakened that, in spite of his elevated global status, he had the infinite humility to state that "**We have simply received our blessings by being in the right place at the right time. We are then custodians of the financial resources that have been bestowed upon us and, as such, we should deploy them for the benefit of mankind to the best of our ability**"... "**Our mission is to share**".

Raffles University imbibes and imparts these values through its excellent education system and state-of-the-art infrastructure. Shri Vinod Kumar Gomber was one of the few stalwarts of our world who has gifted to us an enduring and timeless legacy which future generations can cherish.

MESSAGE FROM THE CHAIRPERSON GOMBER EDUCATION FOUNDATION



DR. JUSTICE MEENA V. GOMBER

FORMER JUDGE - RAJASTHAN HIGH COURT

CHAIRPERSON - GOMBER EDUCATION FOUNDATION

CHIEF PATRON - RAFFLES SCHOOL OF LAW

The modern concept of legal education is to learn by bringing about a proportionate admixture of reading, observation, participation, and practice.

Mooting and Mock Trials have been emphasized by the legal educationalists as capable of inculcating in future lawyers the art of being articulate, developing fluency and clear enunciation of thought bearing, the art of persuasion, and making a succinct and intelligible putting up of a case.

Moots are legal problems in the form of imaginary cases argued by two students or two groups of students acting as counsel for each side with a bench of judges or a bench presided over by a judge.

The purpose achieved by **Moots and Mock Trials** is beautifully highlighted with a sense of humour by Lewis Carroll in Alice in Wonderland in the following stanza:

"In my youth", said his father, "**I took to the law. And argued each case with my wife. And the muscular strength which it gave to my jaw, has lasted the rest of my life.**"

MESSAGE FROM THE CHAIRPERSON RAFFLES UNIVERSITY



MR. VIVEK GOMBER
CHAIRPERSON

Raffles University, Neemrana is a dream and vision of the Gomber Education Foundation to provide an integrated pathway to quality education. In order to achieve this, one needs an infrastructure that meets global standards, an experienced team of professors and faculty who have international exposure, and an environment that provides resources for its students, enabling them and challenging them to grow as individuals and identify their passions. We, at Raffles, believe that we can provide you with such an environment.

Dear students, please remember these are your years of learning and this is your time, therefore do not be hesitant, we are here to help you with an experience, that you desire, at this stage of your life. All of us at Raffles University strive to review and improve every day wherever required.

I would like to welcome you to the **6th SURANA & SURANA AND SCHOOL OF LAW, RAFFLES UNIVERSITY NATIONAL LABOUR LAW MOOT COURT COMPETITION 2023-24**. I hope that all your expectations are met and that we can help you achieve your goals.

MESSAGE FROM THE PRESIDENT RAFFLES UNIVERSITY



PROF. (DR.) GADANGI INDIRA
PRESIDENT/VICE CHANCELLOR

Universities are working very hard to make higher education meaningful and relevant. Experiments are being done by many Universities, to make their end product (graduates) **"fit for job"** using their strategies. The emphasis is on bringing out competent people who can meet the requirements of the employers. In short, higher education is driven by the job market.

I do believe that universities aim to inculcate confidence, commitment, and concern as basic values in addition to providing knowledge. Raffles University is being established on high ideals with a vision to shape the youth as per the desire of **Swami Vivekananda**.

Curriculum and pedagogy are designed to blossom the inbuilt capacity of each student.

Scientia est potentia which means **"Knowledge is Power"** is our dhyeya vakya. We equip, expose, empower and enlighten you to face any challenge in life with confidence, but not compromise on ethical values. I do extend an open-armed welcome to the university and our flagship event. I believe that you will make this competition great.

MESSAGE FROM THE DIRECTOR SCHOOL OF LAW



PROF. DR. SHIV DATT SHARMA
DIRECTOR, SCHOOL OF LAW

The School of Law of Raffles University has been founded with a vision to chisel out the most competent legal professionals who are confident and committed. We equip, expose, enlighten and empower our students to take up any professional challenge with confidence. Students have been exposed to moot Court exercises from the beginning. Participation in moot court competitions outside the school is made compulsory. Two National Level Moot Court Competitions are being organized every year, of which one is in collaboration with the prestigious Surana & Surana International Attorneys.

I am extremely happy and wish all the best to the participants from different law universities/institutions. Our Moot court faculty and student coordinators are doing a commendable job, and their efforts are appreciable, without which organizing such a gala event is not feasible. The Surana & Surana and School of Law, Raffles University jointly organize a national moot court competition on Labour Laws/Employment Law annually. It is the area of law that governs the employer-employee relationship. The prime objective of labor laws is to prevent discrimination, promote health and safety, establish a minimum required level for economic support, and prevent work disruption due to disputes between labour and management. This moot is an attempt to focus on emerging labour issues related to both national and international levels.

MESSAGE FROM THE HEAD - ACADEMIC INITIATIVES SURANA & SURANA INTERNATIONAL ATTORNEYS



MR. PREETAM SURANA

PARTNER-DISPUTE RESOLUTION & HEAD-ACADEMIC INITIATIVE SURANA & SURANA INTERNATIONAL ATTORNEYS

It is with immense pleasure that we invite you all to the **6th Edition of the Surana & Surana Labour Law Moot Court**. The field of labour law in India needs revamp and towards this, twenty-nine labour law statutes have been assimilated into four central codes namely, the Code on Wages, 2019, the Industrial Relations Code, 2020, the Occupational Safety, Health, and Working Conditions Code, 2020 and the Code on Social Security, 2020. Though the bills have been passed, they await implementation due to various reasons which we will not delve here.

These new codes aim to address specific areas such as trade unions, thresholds for lay-offs, labour enforcement, and power of delegated legislation, among others. By way of these codes, safety committees and grievance redressal committees have been set up to address internal labour issues. The formulation of standing orders by establishments governing the working standards of service is a move aimed at regularization of industrial working standards. Unorganized, gig and platform workers have been empowered largely by the setting up of security funds by the central and state governments. Their registration with the respective governments will further solidify their rights. The Industrial Relations Code, 2020 has also introduced a new concept for negotiating trade unions or negotiating councils in an industrial company. This will reinforce the recognition of trade unions across the country.

It is said that labour is the divine law of existence. And it is also true that an industry can grow only when it is nurtured in harmony. Given that India is a labour-intensive country, these labour codes are sure to rejuvenate and harmonize the labour laws of the country.

The Surana & Surana Labour Law moot is all about giving you an opportunity to be a part of the process of evolution of laws and improve your research, writing and advocacy skills. We hope that the implementation of the labour codes manifests, enabling employee-employer relations more systematic and symmetrical.

My good wishes to the participants! Happy Mooting!

INVITATION

School of Law, Raffles University with its organizing partner Surana & Surana, International Attorneys, Chennai is proud to announce the **6th SURANA & SURANA AND SCHOOL OF LAW, RAFFLES UNIVERSITY NATIONAL LABOUR LAW MOOT COURT COMPETITION 2023-24**. It is an initiative taken forward by the organizers to create awareness in the field primarily of Labour Law and the surrounding disciplines of Employment law, Administrative Law, Constitutional Law, Service Law, etc. This year's case has been drafted to test the knowledge, research aptitude, and application of the law by the participants in the field of laws regarding Employment Laws, provisions governing maternity leaves, and constitutional provisions governing "Right to Equality" and "Right to life and Personal Liberty" mentioned in the Constitution.

The event will provide a unique opportunity for our participants to become a part of a powerful venture started by two of the experienced moot court competition organizers, i.e., School of Law, Raffles University, and Surana & Surana International Attorneys, Chennai. The former takes pride in associating itself with another successful national-level moot court competition, while the latter is a familiar name for hosting, administering, and funding numerous moot court competitions nationally and internationally. Together, we aim at promoting academic excellence and research in the field of Labour Law.

The event will take place virtually via the **Cisco WebEx platform**. To ensure the comfort of the participating teams, an orientation program has been scheduled on the **3rd of November** which will include a mock for the moot, followed by a draw of lots and exchange of memorials. Competition team codes and sides will also be allotted during the orientation only. Your good self is requested to kindly direct the concerned authorities regarding participation in the competition and to register your respective team. Teams may register online at www.moot.in

We look forward to your participation in the **6th SURANA & SURANA AND SCHOOL OF LAW, RAFFLES UNIVERSITY NATIONAL LABOUR LAW MOOT COURT COMPETITION 2023-24**.

Contact: Regarding any queries, you may reach out to our contact persons mentioned here or drop an email at – mcc@rafflesuniversity.edu.in

- ◆ **Dr. Ausaf Ahmad Malik**, Head of Department, School of Law, Contact: +91-9891505159, dr.ausafmalik@rafflesuniversity.edu.in
- ◆ **Ms. Amik Kaur**, Convener, Moot Court Committee Raffles University Contact: +919971944508, amik.kaur@rafflesuniversity.edu.in
- ◆ **Mr. Anurag Sarthi**, Co-convener, Moot Court Committee Raffles University Contact: +918882115409, anurag.sarthi@rafflesuniversity.edu.in
- ◆ **Mr. Preetam Surana**, Partner- Dispute Resolution & Head-Academic Initiatives, SSIA, Chennai Contact: 044-28120000, mootcourt@lawindia.com

MOOT PROPOSITION



6th
SURANA & SURANA
AND
SCHOOL OF LAW,
RAFFLES UNIVERSITY
NATIONAL LABOUR LAW MOOT
COURT COMPETITION

3rd to 5th November 2023

MOOT PROPOSITION

Mojo Heraldo ship recycling company

v.

Employees and ors.

1. *Mojo Heraldo* is a ship recycling company registered in the Republic of *Kumonoland* located in the coastal province called *Nomaleo*. Mr. Matata, an employee of *Mojo Heraldo*, has been working in the ship breaking yard with 90 other employees for the past 10 years. Ship breaking is a process of dismantling the ship/vessel which is a very labour-intensive process and is considered one of the most dangerous industries in the world. During this process, a huge volume of hazardous substances, including paint, heavy-metals and fire-fighting chemicals are exposed to the environment. Long-term exposure to such hazardous substances can lead to liver damage, neurological damage, reproductive impairments, cancer etc.
2. Mr. Matata was diagnosed with a liver infection due to long term exposure of Polychlorinated biphenyls (PCB) according to the doctors, which led to his death within a month of diagnosis i.e on 20th of January, 2021.
3. Employees agitated against the company with the fear of such a sudden death of Mr. Matata and demanding proper occupational health, safety and working conditions to keep themselves away from such infections due to exposure to PCB and other hazardous substances.
4. Amidst the agitation, a negotiation took place on 30th of January, 2021, between the employer and the agitated employees of the *Mojo Heraldo* ship recycling company, where the employer made certain promises to fulfill the demands of the employees.
5. Even after 3 months of negotiation, the promise remained unfulfilled, which compelled the employees to launch agitation for fulfillment of the promise made by the employer, as a consequence of which the working of the company was affected. During the agitation on 1st of May, 2021, the Trade Union leader, Mrs. Yeoshin was attacked by the private escorts of the General Manager (Operations) which led to the miscarriage of her first child, which ultimately led to the strike.
6. On 2nd of May, 2021, a notice for going on a strike was served to the employer that they would strike on 20th of May, 2021, whereas the employees went on strike on 15th of May, 2021 with the following demands-

- i. Demand for proper occupational health, safety and working conditions to protect them from infections due to exposure of hazardous substances caused due to working in the ship recycling yard.
 - ii. Demand for keeping the working hours to be 8 hours and not more than 40 hours per week from the existing working conditions, which is 10 hours a day for 6 days a week i.e. 60 hours of work per week.
 - iii. Demand for compensation for Mr. Matata's unfortunate death as well as Mrs. Yeoshin's miscarriage.
7. The employer made an application to the Industrial Tribunal under Section 53 of the Industrial Relations Code, 2020 for adjudication of the dispute, when no settlement was arrived before the conciliation officer. It was held by the Tribunal that the ship-recycling company is not an "industry" under the definition of "industry" given under the Labour laws of Kumonoland. It also pointed out that the strike was an illegal strike, as it was commenced or declared in contravention of section 62 of the Industrial Relations Code, 2020.
 8. The employees challenged the award passed by the Industrial Tribunal in the High Court of Nomaleo. The High Court was of the opinion that the Tribunal hurriedly came to the conclusion that ship-recycling company is not an "industry" in the present case. The High Court held that the ship-recycling company is an "industry" as it very much falls within the purview of the definition clause defining "industry" under the Labour laws of Kumonoland. The High Court called the strike to be legal as well as justified, since it was the employer's unjustified attitude in not fulfilling the demands as promised to the employees.
 9. Mojo Heraldo ship recycling company filed an appeal to the Supreme Court stating that the High Court had no jurisdiction in the present case and had erred while deciding the case as the Court of appeal was the National Industrial Tribunal.
 10. Besides the appeal filed by the Mojo Heraldo ship recycling company, a PIL has already been filed by the employees of various ship recycling companies, including Mojo Heraldo ship recycling company, concerning paid paternity leaves and menstrual leaves which is pending before the Supreme Court.
 11. The hon'ble Supreme Court of Kumonoland, clubbing the Appeal with the PIL, has decided to hear the case on the following issues-
 - i. Whether the High Court have Appellate jurisdiction in the present case?
 - ii. Whether the ship-recycling company is an "industry" to be considered under the Labour Codes?
 - iii. What are the safety measures which should be considered while working in the ship-

recycling yard?

- iv. Whether the minimum working hours under the Labour laws are in accordance with the rules laid down by the International Labour Organization?
- v. Whether menstrual leaves fall under the purview of the Code on Social Security, 2020?
- vi. Is denial of paid paternity leaves a violation of the fundamental right?

NOTE-

1. *The laws of “Republic of Kumonoland” are pari materia with the laws of INDIA and the decisions of INDIA are of significant value to the Republic of Kumonoland. The Apex Court of the Republic of Kumonoland also relies on the precedents of International Courts and Tribunals.*
2. *The Code on Wages, 2019, the Occupational Safety, Health and Working Conditions Code, 2020, the Code on Social Security, 2020 and the Industrial Relations Code 2020 have been enforced in the Republic of Kumonoland and are pari materia to the existing labour laws in INDIA.*
3. *The participants are required to prepare their submissions from each side of the case.*

VENUE ONLINE (VIRTUAL)

RULES AND REGULATIONS

I. AIM & PURPOSE

Surana & Surana and School of Law, Raffles University National Labour Law Moot Court has been conceived with the aim of creating opportunities for learning the development of jurisprudence on emerging trends in labour law besides developing cutting edge skills in research, writing and advocacy.

II. VENUE AND DATE

6th SURANA & SURANA AND SCHOOL OF LAW, RAFFLES UNIVERSITY NATIONAL LABOUR LAW MOOT COURT COMPETITION 2023-24, shall be held virtually from 3rd to 5th November 2023.

Prof. (Dr.) Gadangi Indira, President, Raffles University, will be the National Administrator.

III. THE COMPETITION SHALL BE HELD IN ENGLISH LANGUAGE.

IV. ELIGIBILITY

a. The competition is open to students who are studying LLB three year or five-year course during the current academic year interested in Employment Law and who belong to institutions that have been invited.

b. Each College/University/Institution shall be allowed to register only one team in the competition.

V. TEAM COMPOSITION

a. Each team should consist of a minimum of 2 and a maximum of 3 members. This number cannot be modified under any circumstances. Only one team for an institute

b. There shall be 2 speakers and 1 researcher designated for each team. The researcher shall be allowed to argue with prior permission of the court and National Administrator in case of illness of the designated speakers.

c. Each team will be provided a team code during orientation. Teams should not disclose the

identity of their institution; such disclosure shall invite penalties, including disqualification. The decision for the same shall be at the discretion of the National Administrator.

VI. REGISTRATION

a. Online registrations are open from **21st September, 2023**. The teams must register online by **15th October, 2023**. Teams will have to register online at www.moot.in. In total, 40 teams will be registered to participate in the competition on a first- come-first serve basis.

b. No temporary registration requests will be entertained. Kindly refrain from sending such requests to Surana & Surana or SoL, Raffles University.

c. Participants will receive an automated system generated acknowledgement on successful submission of registration. Participants will receive an approval as acceptance of their request for participation latest by **16th October, 2023** or earlier.

d. Registration Process

Option 1 - The Registration form cum Approval letter as provided in the rules, duly signed & sealed by your university / college / moot society.

Option 2 - Upload both (i) & (ii) together as a single PDF

(i) The Registration form cum Approval letter (without seal & signature) as provided in the rules duly filled along with

(ii) Scanned copy of the authorization letter with sign and seal from your university/ college / moot society

or

an email communication from the official id (to be filled as notification email id during online registration process) of the institution, from your university / college / moot society to complete the registration process.

NOTE:

i. Signatories on the registration form should be any of the following: - Faculty-in-charge of MCA / MCS / MCC, Registrar, Dean, Principal, Director, Chancellor or Vice-Chancellor.

ii. Registration without the scanned copy of the approval letter / an email communication from the college/institution/university or duly attested registration form will not be valid.

iii. Soft copy of the registration and approval letter/ an email communication as a single PDF to be sent by email to: mcc@rafflesuniversity.edu.in marked as **6th SURANA & SURANA AND SCHOOL OF LAW, RAFFLES UNIVERSITY NATIONAL LABOUR LAW MOOT COURT COMPETITION 2023-24** registration as subject of the mail latest by **17th October, 2023**. The provisional team code shall be allotted to the registered teams by Host

University soon after receiving of registration particulars along with the registration fee.

e. On receiving the provisional team code from the moot committee/society of SOL, Raffles University, you may proceed to pay the registration fees.

A registration fee of Rs. 2000 /- is to be paid online by **16th October, 2023** to:

BANK NAME: YES BANK LTD
BRANCH: NEEMRANA – 301705
NAME: RAFFLES UNIVERSITY A/c NO: 013194600000300
IFSC: YESB0000131
SWIFT CODE: YESBINBB

Receipt of the online payment to be sent by email to: mcc@rafflesuniversity.edu.in

Fees once paid will not be refunded.

f. In the event a team drops out of the competition or is disqualified, the team next in line as per registration data (When the registration exceeds beyond the permitted 40 teams) will be offered the chance to participate in the competition at short notice. Such teams will have to submit memorials to be eligible at least 3 days prior to the start of the competition.

VI. ORIENTATION

There will be an Orientation Program for all the participants on **3rd November, 2023 (Friday)** followed by a draw of lots and exchange of memorials. Competition team codes and side will be allotted during the orientation only.

VII. ROUNDS

There will be two preliminary rounds of arguments, an octa-final, a quarterfinal, a semi-final and a final round.

Octa-final will be conducted if the participation exceeds 24 teams.

Quarter final will be conducted if the participation exceeds 16 teams.

Preliminary Round/ Octa-Finals/ Quarter Finals

a. There will be two preliminary rounds of arguments per team, once for applicant & another for respondent.

b. No team will face each other more than once in the preliminary rounds.

c. Each team will face a different bench in their second round of arguments.

d. Preliminary 1/Preliminary 2/ Octa finals/ Quarter finals will be held on **4th November, 2023 (Saturday)** while Semi-finals/Finals will be held on **5th November, 2023 (Sunday)**.

e. Top sixteen/eight teams from the Preliminary Rounds will advance to the Octa / Quarter final rounds that will be decided on

- ◆ Win points
 - ◆ Win points + Aggregate raw points
 - ◆ Win points + aggregate raw points (in case of tie minus memorial marks)
- Memorial marks will be added to the scores of both the preliminary rounds only.*

f. The dress code shall be advocate's attire (as laid out by the BCI) during orientation, the oral rounds and valedictory ceremony of the competition.

The Oral Round and Valedictory Ceremony of the Competition.

- ◆ The oral arguments need not be confined to the issues presented in the memorials

Octafinal / Quarterfinal / Semi Final Round / Final Round:

- a. Lots / power matching will decide the side of the arguments in Octafinal, Quarterfinal, Semifinal & Finals.
- b. Semifinals will be held on 5th November, 2023 (Sunday), followed by the Finals.
- c. The Octafinal / Quarterfinal / Semifinal are knockout rounds.
- d. The schedule is subject to change in case participating teams' numbers less than 24.

Results (Announcement)

Results of the preliminary rounds shall be announced after the completion of rounds of all the teams. Similarly, the results of the Quarter-Final/Semi-Final Rounds shall be announced after completion of the rounds of all qualified teams of their respective rounds. The results of the Final Round shall be announced during the Valedictory Ceremony.

VIII. MEMORIALS

The following requirements for memorials must be strictly followed. Non-conformity will be penalized:

- a. Each team must prepare memorials for both parties to the dispute (Petitioners and Respondents).
- b. The soft copy of the Memorials for the Petitioner and the respondent should be mailed to mcc@rafflesuniversity.edu.in with copy to mootcourt@lawindia.com on or before **30th October, 2023**
- c. Late submission will be penalized by two points for each hour subject to a maximum penalty not exceeding 20 points.
- d. Memorials received after 24 hours of the deadline will not be considered and the team will be disqualified from the moot court competition.
- e. Once the soft copy of the memorial has been submitted, no revisions, supplements, or additions will be allowed.
- f. Soft copy of the memorials should be emailed with the subject as "**Team Code- Memorial Submission**". The memorials shall be submitted in **Word Format**. The file shall be named as "**Team Code- Memorial for Petitioner**" and "**Team Code- Memorial for Respondent**"

respectively. The memorials for the two sides shall be attached as two separate attachments in the same email communication.

g. The memorials have to be submitted on typed A 4 size paper printed on one side and must contain:

- The table of contents
- The index of authorities
- The statement of jurisdiction
- The statement of facts (1 page only & argumentative statement of facts attract penalties)
- The statement of issues
- The summary of arguments (not more than 1 page)
- The arguments advanced (not more than 15 pages)
- The prayer

h. Uniform font size should be used throughout the memorial. The font size should be 12 (double space) and for footnotes it should be 10 (single space) & double space is to be adhered to between two-foot notes. Footnoting must conform to the Bluebook: A uniform system of citation (20th Edition). Non-Compliance will result in a penalty of 1 mark per page. Substantive/ speaking footnotes are strictly prohibited.

i. The memorial must have a margin measuring one inch on all sides of each page.

j. The page numbering should be on the top right side of each page.

k. Covers must be placed on briefs as follows:

Petitioner: Light Blue Color; Defendant: Light Red Color.

The cover page of the memorial must state the following

- a. Team Code (on the top right corner)
- b. The cause titles
- c. Identify brief as Petitioners / Applicant / Respondents as is applicable

l. The identity of the institution shall not be revealed anywhere in the memorial. Violation of this provision shall result in penalties, including disqualification. The National Administrator's decision shall be final.

m. The teams may share a separate paper book (compendium) of not more than 50 pages, which will carry all the annexure and case laws that have been referred to in the memorial. The paper book will have a white cover. The teams may submit through screen sharing with judges or submitted during virtual registration before commencement of the Competition as advised by the organizers. Any identifying marks/seal of the college/university shall attract severe penalties, including disqualification.

IX. ORAL ROUND

Preliminary Round, Octa-finals & Quarter-finals

a. Each team will get a total of 30 minutes to present their case. This time will include rebuttal and surrebuttal time.

- b. The division of time is at the discretion of the team members, subject to a minimum of 12 minutes per speaker. The division of time shall be informed by the court officer before arguments begin.
- c. The oral arguments need not be confined to the issues presented in the memorials.
- d. Passing of notes to the speakers by the researcher during the rounds is allowed. However, it is to be done discreetly without disturbing the proceedings of the court.
- e. The researcher may sit with the speakers at the time of the orals.

Semifinal & Final

- a. Each team will get **45 minutes** to present their case that will include rebuttal and sur-rebuttal time.
- b. The division of time is at the discretion of the team, with a maximum of 25 minutes per speaker and a minimum of 20 minutes per speaker.
- c. The oral arguments need not be confined to the issues presented in the memorials.
- d. Passing of notes to the speakers by the researcher during the rounds is allowed. However, it is to be done discreetly without disturbing the proceedings of the court.
- e. The researcher may sit with the speakers at the time of the orals.

X. SCOUTING

Teams will not be allowed to observe the orals of any other teams. Scouting is strictly prohibited. Scouting by any of the team members shall result in disqualification. The final Round will be broadcast live.

XI. SCORING

A. Orals

The parameters for judging the oral presentation on a scale of 0 – 100 points are:

- a. Knowledge of facts
- b. Logic and reasoning
- c. Organization and clarity
- d. Persuasiveness
- e. Deference to the court
- f. Proper and articulate analysis of the issues arising out of facts
- g. Understanding of the legal principles directly applicable to the issues
- h. Ability to explain clearly the legal principles in general keeping to the time allotted
- i. Knowledge and use of legal sources and authorities and general principles of national law
- j. Ingenuity (ability to argue by analogy from related aspects of law).

B. Written Submissions (Memorials)

- a. The memorials shall be marked on a scale of 1-100 points each.
- b. Any revisions, supplements or additions to the memorials after submission shall attract severe penalties subject to the discretion of the National Administrator.
- c. The award of the points shall be based on the following parameters:

- Neatness, legibility, no typographical errors or format errors
 - Logical progression of ideas
 - Effective use of headings to outline arguments
 - Understanding essential legal issues presented
 - Focus on essential (not collateral) issues
 - Clear, concise and unambiguous writing style
 - Forceful and persuasive presentation
 - Integration of facts into legal argument
 - Understanding of the strengths and weaknesses of the case
 - Discussion of viable alternative arguments
 - Understanding and analysis of authority
 - Proper use of citations and citation form
 - Effective use of authority to support arguments
 - Ability to distinguish between adverse cases
- d. Non- compliance of the rules mentioned in Clause VII above shall attract severe penalties.

XII. AWARDS

Winner : Rs.21, 000/-

Runner up : Rs.11, 000/-

Best Memorial : Rs.5, 100/-

Best Student Advocate : Rs.5, 100/-

XIII. ANONYMITY

a. Student counsel may introduce her/himself to the court in the usual manner and may also state her/his names. However, the team's college / institution affiliation may not be mentioned at any time before the awards ceremony.

b. Further, all team members, coaches, advisors, and observers shall refrain from identifying a team's school at any time and in any manner, including, but not limited to, wearing any identifying items, such as school clothing, ties, patches, or pins or carrying identifying material (such as a book with a college logo, or college seal).

XIV. DECISION OF THE JUDGES IS FINAL

XV. POLICY FOR VIRTUAL ROUNDS

a) The Oral Rounds for the competition will take place virtually via Cisco WebEx platform.

b) It would be the responsibility of every team to ensure a stable internet connection. The audio and video of every member of the team should be clear. Every team must ensure a proper background. The organizers will, under no circumstances be obligated to provide the participants with any such facility.

c) All participants should mandatory join with their laptops or desktops and other forms of devices are to be avoided.

d) The link or the ID and password for the room on Cisco WebEx will be conveyed to the

participating teams before the oral rounds.

- e) Each participating member of every team is advised to install the Cisco WebEx platform on their devices well in time.
- f) Each team is required to join the room at least twenty minutes before the scheduled time of commencement of the oral rounds.
- g) The participants' camera and microphone shall be firmly positioned throughout the oral rounds so as to show speakers and to ensure their voices are clearly audible.
- h) All participants must keep their cameras on at all times during the rounds. The Camera to be switched off in case of technical glitches with the permission of the bench.
- i) At the time when one participant is speaking, others are expected to keep their microphones on mute. In case a participant is found disturbing the other pleader anyway, he/she or the entire team to which such participant belongs may be disqualified upon the discretion of the bench.
- j) Each participant is responsible for finding a suitable venue and background to participate. The venue must be a quiet location and one which has adequate and reliable internet connectivity and has a desk and chairs for the oralist. Location in open spaces, hallways or cybercafes or similar areas are NOT permitted.
- k) Participants are cautioned to ensure that all equipment has a power supply sufficient to last for at least two hours without interruption.
- l) In case of a loss in internet connection, each team will be given a reasonable time to reconnect. If the problem still persists, the decision made by the organizers shall be final and binding.
- m) In the event where one or both of the speakers could not join due to connectivity issue, the team may be disqualified from the competition and under no circumstances can other members of the team be allowed to switch roles.
- n) Where a team does not appear within 10 minutes of the scheduled time for the round, the round shall proceed as ex-parte.
- o) Compendium & memorials shall be mailed to mcc@rafflesuniversity.edu.in along with the team competition codes on completion of the Orientation as directed by the organizers.
- p) Any compiled Research Material (Compendium) or other supplementary documents may be, as per the discretion of the bench, presented by the team by using the "screen sharing" option given they have fulfilled the preceding sub-clause.
- q) Participants will not be allowed to use the feature of personal chat on Cisco WebEx to communicate with their team members or members of the opposing team. (However, the teams may communicate with each other via other digital platforms in the background according to their convenience).
- r) Teams shall not use the internet or any other devices during the rounds for anything, except for participating in the rounds.
- s) Participants can only sip water on screen during the competition. Consumption of other beverages or eatables is not permitted. Non-speakers are to switch off the video before drinking water.
- t) Participating speakers and researchers are permitted to join the Virtual Competition from

the same premises/room. However, the screen space should be independent and the speakers, researchers to represent before the bench through individual/separate devices.

u) Appropriate court room demeanor is to be maintained. This is mandatory.

v) Participants are expected to cooperate with the organizers and the judges, in case anyone faces any issue.

w) The organizers shall take the best available measures to resolve or mitigate any connectivity issues that may arise. However, in cases where that is not possible, the organizer cannot be held responsible for the unforeseen issues, which include (but are not limited to) – software failure and connectivity issues. The decision of the Organizers in consultation with the judges shall be final and binding.

XVII. COPYRIGHT

a. The copyright over the memorials submitted for participation in the competition is assigned by participants and shall also vest completely and fully in SOL, Raffles University, Neemrana and Surana & Surana International Attorneys Chennai. The participants shall certify in writing the originality of materials contained therein and shall be responsible for any claim or dispute arising out of the further use and exhibition of these materials.

b. Further use and exhibition of these materials, electronically or otherwise, shall be the exclusive right of Surana & Surana International Attorneys, Chennai and SOL, Raffles University, Neemrana and they shall not be responsible for any liability to any person for any loss caused by errors or omissions in this collection of information, or for the accuracy, completeness, or adequacy of the information contained in these materials.

a. Distribution of these materials on affiliated websites such as www.moot.in does not constitute consent to any use of this material for commercial redistribution either via the Internet or using some other form of hypertext distribution. Links to the collection or individual pages in it are welcome.

XVIII. Prof. (Dr.) Gadangi Indira President, Raffles University, will be the National Administrator.

XIX. Any clarification for the competition can be sought from: Regarding Queries on Case / Submission of Memorials etc.

(a) **Mr. Anurag Sarthi** – Co-convener

Email: anurag.sarthi@rafflesuniversity.edu.in Mob: +91-8882115409

(b) **Ms. Amik Kaur** – Convener

Email: amik.kaur@rafflesuniversity.edu.in Mob: +91- 9971944508

(c) Regarding registration

Mr. Preetam Surana

Partner-Dispute Resolution & Head-Academic Initiative, Surana & Surana International Attorneys

Email: mootcourt@lawindia.com , Ph: 044 – 2812 0000, Fax: 91 – 44 – 2812 0001

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6. Yukti Bhardwaj -+91-9079843104 (BBA.LL.B. 9th Sem)

IMPORTANT DATES

Start of online registration	21.09.2023
Last date for online registration	15.10.2023
Last date for payment of registration fee	16.10.2023
Last date for receiving copies of registration form/approval letter along with details of registration fee payment	17.10.2023
Last date for the questions clarification of problem	20.10.2023
Last date for submission of memorials (both applicant and respondent) soft copy by email	30.10.2023
Orientation	3.11.2023
Prelims-1/ Prelims-2/ Octa final/ Quarter final	4.11.2023
Semi-final/ Final / Valediction and Prize distribution	5.11.2023

Date:

Registration form/ Approval letter
(Please fill in capital letters)

Undertaking

1. We hereby state that our participation complies with the rules and regulations of the competition.

2. We certify that the materials submitted/to be submitted are prepared by us and agree to indemnify the organizers, i.e., the Surana & Surana International Attorneys, Chennai and SOL, Raffles University, Neerambra for any claim or dispute arising out of the further use and exhibition of these materials.

(All particulars must be given)

Name & Address of the participating Institution:

Notification Email:

Regd. Mobile #:

Name of the participant	Gender	Course	Year/Semester	Signature
Teams primary Email ID/ Contact Number for communication				

Seal & signature of the
Head of the Institution