



2ND ANNUAL NLU ANTI TRUST MOOT COURT COMPETITION, 2011

In association with:

LAKSHMIKUMARAN & SRIDHARAN
AND
THE COMPETITION COMMISSION OF INDIA

GENERAL MANUAL ON RULES AND REGULATIONS

NATIONAL LAW UNIVERSITY, JODHPUR

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RULES AND REGULATIONS

1. GENERAL

- 1.1 The 2nd NLU Antitrust Moot Court Competition, 2011 will be held from February 17th to 20th, 2011 at the National Law University, Jodhpur.
- 1.2 Students pursuing three or five year courses of LL.B. or B.L. or J.D. degrees (or of any equivalent course) in the academic year 2009-10 from any recognized Law College/University are eligible to participate. One team of atleast two and not more than three members per institution shall be eligible to participate in the Competition subject to completion of Registration formalities as detailed in the “**Invite**” to the Competition. The “Invite” may be freely downloaded from <http://www.nlujodhpur.ac.in/antitrust.php>.
- 1.3 The teams should prepare ONE Memorial for each side, that is, the Petitioner/Applicant(s) and the Respondent(s). The Memorials (soft copy) must reach on

or before February 4th, 2011 before 6 p.m. to either of the following E-mail addresses:
antitrustnlumoot@gmail.com; mootcourt@nlujodhpur.ac.in

- 1.4 ONE hard copy of the Memorial for EACH side must reach the organizers on or before February 4th, 2011 at the following address:

Moot Court Committee,
National Law University, Jodhpur
N.H. – 65, Nagour Road, Mandore,
Jodhpur – 342 004, Rajasthan- India
Ph: +91 – 291+ 2577595, 2577530 Fax: 0291 – 2577540

- 1.5 The Travel Plan (Annexed to this Manual) (hard or soft copy) must reach on or before February 10, 2011 at the following address:

Moot Court Committee,
National Law University, Jodhpur
N.H. – 65, Nagour Road, Mandore,
Jodhpur – 342 004, Rajasthan- India
Ph: +91 – 291+ 2577595, 2577530 Fax: 0291 – 2577540
E-mail: antitrustnlumoot@gmail.com; mootcourt@nlujodhpur.ac.in

- 1.6 Change in team composition shall not be permitted once the names are sent, except at the sole discretion of the organizers.

2. ROUNDS

2.1 The Preliminary Rounds:

- 2.1.1 There will be two (2) preliminary rounds to ensure that each team is given the opportunity to argue from both sides of the proposition.
- 2.1.2 Teams shall be ranked by the number of wins in the Preliminary Rounds, from highest to lowest. If two or more teams have the same number of wins, the Team with the higher Cumulative Points from the Preliminary Rounds shall be ranked higher.
- 2.1.3 If two or more teams have the same number of wins and also the same Cumulative points, the team with the higher Cumulative oral rounds marks shall be ranked higher.
- 2.1.4 If two or more teams have the same number of wins, the same cumulative points and also the same cumulative oral rounds marks, then the team with the higher gross memorial score i.e. the score of the memorial without deducting the penalty shall be ranked higher.

2.2 The Quarter Finals:

2.2.1 The highest ranked eight teams from the Preliminary Rounds determined by the Rules stated above shall qualify for the Quarter Final Rounds. In accordance with the ranks ascertained above, the draw for the Quarter Finals shall be as follows:

- I. Rank 1 v. Rank 8
- II. Rank 2 v. Rank 7
- III. Rank 3 v. Rank 6
- IV. Rank 4 v. Rank 5.

2.2.2 These ranks are not to be disclosed to the teams.

2.2.3 The allotment of 'Sides' for the Quarter Finals shall be by a draw of lots. Each team shall argue ONCE for the side allotted by the draw of lots for the Quarter Final Round.

2.2.4 Four teams will be qualifying for the semi finals on a knock out basis i.e. the winner of each Quarter Final draw shall qualify to the Semi Finals.

2.3 **The Semi Finals:**

The four teams shall have to argue the case only from one side and shall be assigned sides by draw of lots. The draw for the Semi Finals shall be as follows:

- I. Winner of QF I v. Winner of QF IV
- II. Winner of QF II v. Winner of QF III

Two teams will be qualifying for the finals on the knock out basis.

2.4 **The Finals:**

The two teams shall be assigned sides by draw of lots. The team, which scores higher marks in the final round, shall be declared as the Winner. The other team shall be declared as the Runner – Up.

3. **MEMORIALS**

3.1 The Memorials shall necessarily consist of the following and only the following parts:

- a. Cover Page
- b. Table of Contents
- c. List of Abbreviations
- d. Index of Authorities
- e. Statement of Jurisdiction
- f. Statement of Facts
- g. Questions presented
- h. Summary of Arguments

- i. Written Submissions
 - j. Prayer
- 3.2 Each Memorial shall have the following and only the following on its cover:
- a. The team code on the top right hand corner of the Cover Page
 - b. The name and place of the Court
 - c. The relevant legal provision under which the case is filed.
 - d. Name of parties & their status.
 - e. Memorial Submitted To ...
 - f. Memorial Filed on Behalf of ...
 - g. Counsel appearing on Behalf of ...
- 3.3 A Team Code shall be given to each of the participating teams. **Names of Participants, or Colleges or Universities ought not to be mentioned anywhere in the Memorial. Teams violating this rule shall attract severe penalty.** Team Code shall be communicated to all the participants in due course of time.
- 3.4 **The Hard Copies of the Memorials must have a cover page which is Blue for Petitioner/Appellant and Red for Respondent**
- 3.5 Each Memorial must be e- mailed to antitrustnlumoot@gmail.com or mootcourt@nlujodhpur.ac.in by 1800 hrs. (IST) on February 4, 2011. This is to allow for evaluation of the memorials and for an assessment of the penalties incumbent on thememorials. ONE hard copy of the memorials must also reach the organizers by February 4, 2011 at the address abovementioned.
- 3.6 Soft copies of Memorials must be emailed in MS-Word 2003 (.doc) Format only.
- 3.7 In addition, **four copies (print) of the Memorial** for each side of the proposition must be submitted to the organizers upon arrival for registration for the Competition.
- 3.8 The soft copies of the memorials must be submitted in MS Word Document format (.doc) ONLY. The name of the MS Word Document must contain only the team code and the side being represented in the following format: **023-A** or **155-R**, where ‘A’ represents the Petitioner/Appellant side and ‘R’ represents the Respondent side.
- 3.9 All Memorials submitted must conform to the following general requirements and a team may attract negative marking for failure to keep within limitation as indicated below:
- a. Memorial must be printed on white A4 paper with black ink.
 - b. The font of the body of the Memorial must be Times New Roman, Size 12, **double line spacing.**
 - c. The footnotes must be in font Times New Roman, Size 12, **double line spacing.** The space between consecutive lines of a single footnote may however be single

spaced, subject to uniformity throughout the Memorial.

- d. Footnotes must not be explanatory in nature.
 - i. *Illustrative example of an acceptable footnote:* X v. Y, AIR 1973 SC 22, 23-24 [hereinafter X].
 - ii. *Illustrative example of an unacceptable footnote:* X v. Y, AIR 1973 SC 22, 23-24 [hereinafter X] (holding that the Right to Information Act was in fact against the express provisions of Art. 14 of the Constitution of India).
 - iii. The Harvard Blue Book Style of footnoting must be followed as far as practicable. In any case, footnoting must be uniform throughout the memorial.
- e. Each page of the Memorial must have a margin of **one inch** on all sides. No text may be placed within this margin other than its page number.
- f. Word Limits for various parts of the Memorial shall be as follows:
 - i. Statement of Facts: 600 words
 - ii. Summary of Arguments: 1000 words
 - iii. Written Submissions and Prayer: 7500 words
- g. Any form of legal argument or legal interpretation of the facts of the Proposition must be confined to the 'Written Submissions' section of the Memorial. The Exceptions are:
 - i. As far as the Prayer for Relief sets out the relief.
 - ii. Insofar as such argument may be summarized in the 'Summary of Arguments'.
 - iii. Insofar as the argument may be anticipated in the 'Issues for Consideration'
- h. The Index of Authorities must contain a list of all legal authorities cited in any section of the memorial. The Index must contain the page number(s) of the Memorial where the Authorities are cited.

3.10 If two or more memorials are found to be substantially similar and the Administrator, upon consultation with the memorial judge(s), is of the opinion that there has been copying between the two memorials, then he may impose a penalty on the total marks awarded towards memorial evaluation.

3.11 There shall be an exchange of memorials between the respective opponent participating teams as would be placed after the draw of lots in all the rounds of the competition.

3.12 No amendments can be made to the Memorials after submission.

4. EVALUATION OF MEMORIALS

4.1 Memorials will carry one-third (1/3) weightage of the total evaluation.

4.2 Memorials shall be evaluated on the following criteria:

- a. Application and appreciation of facts
- b. Identification and presentation of issues
- c. Application of legal principles
- d. Use of authorities and precedents
- e. Logical structuring & Writing skills
- f. Proper footnoting & formatting

4.3 Penalties – Penalties shall be deducted after the memorial has been evaluated – In no event can the penalties reduce the total memorial score below two - fifth (2/5) of the maximum score.

TABLE OF PENALTIES

<u>S. No.</u>	<u>Rule Number</u>	<u>Summary</u>	<u>Penalty</u>
1.	3.5	Delay in submitting Memorials	2 points (plus 1 point per day after one day) subject to a cumulative maximum of 5 points
2.	3.9 (b) & (c)	Use of incorrect font or font-size, use of font of inconsistent size, or improper line spacing	1 point per violation, subject to a maximum of 10 points
3.	3.1	Failure to include all parts of Memorial, or inclusion of an unenumerated part	2 points for each part
4.	3.9 (g)	Substantive legal argument outside of approved sections of Memorial (In consultation with the memorial judge(s))	2 points (one-time penalty)
5.	3.9 (h)	Improperly formatted Index of Authorities	2 points (one-time penalty)
6.	3.9 (f)	Excessive length (In consultation with the memorial judge(s))	3 points (one-time penalty) + 1 point for each additional page subject to a maximum of 6
7.	3.2 and 3.4	Failure to include necessary information on Memorial cover and/or incorrect use of colour on Memorial Cover.	2 points (one-time penalty)

8.	3.3	Inclusion of any identifying mark, character or text in the memorial.	5 points (one-time penalty)
9.	3.10	Copying of memorials (in Consultation with the Memorial judge(s))	Upto 75% of the marks awarded towards memorials depending upon the extent of copying.
10.	3.8 (e)	Incorrect Margins	2 points one time penalty
11.	3.8 (d)	Inclusion of Explanatory Text in Footnotes	0.5 marks for each incorrect Footnote subject to a maximum of 6 points.

5. ORAL ARGUMENTS PROCEDURE

- 5.1 The Court language shall be English only.
- 5.2 The time limit for competition shall be thirty (35) minutes for each team. This shall include the submissions of both the student counsels from the team and time reserved for Rebuttal/Sur-Rebuttal.
- 5.3 No counsel may reserve more than twenty (20) minutes for his individual speaking time.
- 5.4 Only ONE speaker from each team will be permitted to rebut or sur-rebut as the case may be.
- 5.5 The time split between the speakers must be communicated to the bailiff prior to the beginning of the round.
- 5.6 There will be no extension of the time. In event where the judges are of the opinion that a certain exigency does require an extension of time, they may extend speaking time for a team by a maximum of five (5) minutes.
- 5.7 There shall be no communication, oral or otherwise using chits, etc., between the counsels' table and the speaker.
- 5.8 Participants seated at the counsels' table may use laptops in the courtroom but must ensure that this does not interfere with the court proceedings.

6. EVALUATION OF THE ORAL ROUNDS

- 6.1 Oral rounds will carry a weightage of two-third (2/3) of the total marks.
- 6.2 The evaluation would be done on the following criteria;
 - a. Marshalling of facts
 - b. Articulation of issues
 - c. Presentation Skills and Communication Ability

- d. Response to Questions of the Court
- e. Application of legal principles
- f. Use of authorities and precedents
- g. Court Room Etiquettes
- h. Effective Rebuttals (Not to be considered in *ex-parte* rounds. See Rule 7(2))

7. DELAY IN APPEARANCE/PRESENTATION

- 7.1 If a team scheduled to take part in a round does not appear for 10 minutes after the scheduled starting of the round, the other team shall have to submit *ex-parte*.
- 7.2 The criteria of rebuttals shall not be considered in such cases for evaluation in place of which an average for the same would be given on the basis of the marks scored by such team on other criteria.

8. SCOUTING

- 8.1 Scouting by the student counsels, researcher or any other person affiliated with the team will lead to the disqualification of the team.
- 8.2 Scouting shall be deemed to have happened if any person affiliated with the team is found
- a) Witnessing, hearing etc. oral rounds except where the round is one in which the team to which he is affiliated is participating; or
 - b) Reading a memorial of a team except where
 - i. It is of the team to which he is affiliated; or
 - ii. The memorials have been obtained on account of exchange of memorials prior to a round of the team to which he is affiliated.

9. EXCHANGE OF MEMORIALS

- 9.1 Prior to each round, the organizers will arrange for the exchange of memorials.
- 9.2 The teams are prohibited from making any marks on the exchanged memorials.
- 9.3 The teams are prohibited from making any copies of the memorials which have been thus exchanged.
- 9.4 The teams are required to return the exchanged memorials to the Court Officers of the respective round.

10. BEST MEMORIAL

The memorials, which secure the highest marks based upon the cumulative marks of all the two memorials submitted, shall be adjudged as the 'Best Memorial'.

11. BEST STUDENT ADVOCATE

- 11.1 The Student securing the highest mark based upon the cumulative marks of the Preliminary Rounds of the competition will be adjudged as the Best Student Advocate.
- 11.2 Rebuttal marks awarded will not be considered to decide the Best Student Advocate.

12. BEST RESEARCHER

- 12.1 A written test will be conducted to decide the Best Researcher. This test is open only for the designated researchers from the participating teams. In the event where there are only two (2) members in a team, **either one of them** may sit for the researcher's exam.
- 12.2 Questions for such written test will be framed based upon the factual circumstances of the Moot Court Proposition and the principles applicable thereto.
- 12.3 The student securing highest marks in the written test will be adjudged as the Best Researcher.

13. MISCELLANEOUS

- 13.1 If any one of the members of a team be notified/informed of any detail or information, it shall be deemed as if the said team as a whole has duly been notified/informed.
- 13.2 In case of any doubt in either understanding any of the details or interpreting them, the decision taken by the Organizers shall be final and binding.
- 13.3 Drawing of lots for the Preliminary Round shall take place at 6:30 p.m. on February 17, 2011 at the National Law University, Jodhpur.
- 13.4 Rules should be strictly adhered to. Any deviation thereof can attract penalties and maybe even disqualification.
- 13.5 Organizers shall resolve unanticipated or unexpected contingencies, if any, and the decision of the Chairperson of the Moot Court Committee in this regard shall be final and the acceptance of any such decisions is a precondition to participation in the Competition.
- 13.6 In addition to the Penalties listed in Rules 4.3, the Chairperson of the Moot Court Committee, National Law University, Jodhpur may assess up to fifteen (15) point Penalties for other violations of the letter or spirit of these Rules. The size of the Penalty shall correspond to the degree of the violation in the judgment of the Chairperson. Discretionary Penalties shall be imposed by the Chairperson after consultation with the judges and the Director, Clinical Legal Education, National Law University, Jodhpur.
- 13.7 Any reference to time will be construed as a reference to Indian Standard Time.

- 13.8 The Chairperson of the Moot Court Committee of the National Law University, Jodhpur shall be the final arbiter for these Rules and such decision made on any issue/dispute arising in relation to the Rules of the Competition shall be final and binding all concerned.

AWARDS

Winners	Rs. 20,000
Runners up	Rs. 15,000
Best Memorial	Rs. 9,000
Second Best Memorial	Rs. 5,000
Best Student Advocate	Rs. 6000
Second Best Student Advocate	Rs. 3000
Best Student Advocate in the Finals	Rs. 1500

BOARDING, LODGING AND TRANSPORTATION

- i. Boarding and lodging will be provided for the participating teams for the nights of February 17 – 20, 2011.
- j. The Organizers may provide boarding and lodging facilities to anyone accompanying the team if the same is intimated to the organizers latest by February 10, 2010 and the extra member agrees to bear the cost.
- k. Note: A Team consists of three (3) Members which shall be composed only of Two Speakers and One Researcher. Observers and extra members will not be considered part of the team.
- l. The participating teams will be received by the volunteers of the Moot Court Committee at their respective places of arrival upon prior intimation.
- m. Participants are also requested to kindly fill up the Travel Details Form annexed herewith and send it to the organizers on or before February 10, 2010. Any subsequent changes made to the travel plans should also be intimated to the organizers.
- n. Conveyance arrangements have been made for the participants from the place of arrival to the place of their lodging and to and fro from the place of lodging to the venue of the competition.
- o. Participants should provide the organisers with one E-mail id compulsorily. That Email id shall be used for the purpose of intimating important information from

time to time by the organizers in connection with this Moot Court Competition. Information communicated to that e-mail id will be deemed to have been communicated to all the participants.

- p. All communication with the organizers must be addressed to the following E-mail addresses: antitrustnlumoot@gmail.com; mootcourt@nlujodhpur.ac.in

VENUE:

National Law University, Jodhpur
N.H. – 65, Nagour Road, Mandore,
Jodhpur – 342 004, Rajasthan- India
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CONTACT US:

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E-mail: antitrustnlumoot@gmail.com ; mootcourt@nlujodhpur.ac.in

FURTHER DETAILS:

Please Contact either of:

Arpita Sarkar

Convenor

+91 99 820 270 97

Sannoy Das

Co-Convenor

+91 99 283 446 87

TRAVEL DETAILS FORM

Name of Institution -

Team Code –

Communication Email Id -

Arrival Details:

- a. Mode of Arrival: Train / Air / Bus _____
- b. Train No. /Bus No./Flight No. _____
- c. Date and Estimated Time of Arrival _____

Departure Details:

- d. Mode of Arrival: Train / Air / Bus _____
- e. Train No. /Bus No./Flight No. _____
- f. Date and Estimated Time of Arrival _____

Any other details:

Signature and Seal of Head of the Institution/Designated Authority

Note: This Travel Details Form must reach the Orgnaizers on or before February 10, 2011.