
**8TH DR. PARAS DIWAN
MEMORIAL INTERNATIONAL
‘ENERGY LAW’ MOOT COURT
COMPETITION, 2018**

RULES OF THE COMPETITION

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1. PREAMBLE

This rule book intends to regulate the 8th DR. PARAS DIWAN MEMORIAL INTERNATIONAL “ENERGY LAW” MOOT COURT COMPETITION (PDIMCC) in a just and fair manner.

The DR. PARAS DIWAN MEMORIAL INTERNATIONAL “ENERGY LAW” MOOT COURT COMPETITION aims:

- I. To create greater awareness about the scope and application of Energy Laws.
- II. To promote the development of the Energy Sector through greater jurisprudential contemplation and analysis.

2. DEFINITIONS

- a) “Administrator” means the Chairman of Moot Court Association, School of Law, University of Petroleum and Energy Studies or any other person/persons appointed to administer the competition by the said Association.
- b) “Committee” includes: All the members of Moot Court Association.
- c) “Competition” means the 8th DR. PARAS DIWAN MEMORIAL INTERNATIONAL “ENERGY LAW” MOOT COURT COMPETITION.
- d) “Memorial Round” stands for selection of teams based on submissions of Memorial.
- e) “Memorial” means the final written submission of each team.
- f) “Mooting Round” means the oral arguments by both the sides.
- g) “Problem” means the Moot Problem of the Competition.
- h) “Registration number (PR.NO)” means the code which would be allotted by the Association after the registration form is received for the purpose of memorial rounds.
- i) “Rule Book” means the document prescribing the guidelines for the competition.

j) "Team code" means the code which would be allotted to those teams qualifying the memorial rounds, by the Association, after the registration form is received.

3) PARTICIPATION

a) REGISTRATION

- i. The duly completed scanned copy of the competition's **registration form** must be submitted online at mootcourt@ddn.upes.ac.in on or before **15th December, 2017** and **hard copy of their registration form shall reach by 24th December, 2017**. *The subject of the mail* must be **"Registration: <Institution Name>"**
- ii. No change in the name of the participants shall be permitted after the receipt of the competition's registration form. Under exceptional circumstances, the changes shall be allowed at the sole discretion of Administrator. Such changes shall be allowed only if approved by the head of the participating Institution/College/University stating the reasons and the change shall be communicated on or before **20th January, 2018**. On completing the process of registration, a registration number shall be issued by the Association and communicated to the teams, which shall be used for any communication and submission of memorials till the team code is issued.

b) SUBMISSION OF MEMORIALS

- i. The teams must send the soft copy of the memorials at mootcourt@ddn.upes.ac.in by **10th February, 2018 (11:59 pm)**, which must be a **.pdf file** extension with the subject of the email as **"Memorial Submission - <Registration Code>"**. For eg.-**"Memorial Submission- PDIMCC-E"**.
- ii. The file name of the memorials shall be in the following format- **<Team Code> <Side represented>**. For eg.- **"PDIMCC-E Respondent"**.
- iii. **Late Submissions:** For every hour of delay in memorial submission beyond the prescribed time (11:59 pm IST, 29th February, 2018), 1 mark shall be deducted. Any

Memorial submitted 15 hours after the time prescribed above (i.e. after 2:59 pm IST, 1st March, 2017) will not be accepted.

c) FINAL REGISTRATION

- i. The registration of the teams for the competition **shall be strictly done on the basis of the merit of the memorials** submitted by the participant. The shortlisted teams will be notified via email latest **by 15th March, 2018**.
- ii. The short listed teams shall send duly completed travel plan (in soft copy) on or before **25th March, 2018** to the communication address mentioned in the rule book.
- iii. **The registration money of the teams not qualifying the memorial selection round shall be refunded within two months of the notification of results.**
- iv. All the teams who have sent their complete registration form along with the transaction receipt shall arrive and verify the details in person at the Dehradun Main Campus during verification.
- v. Each team has to **submit six (6) sets of memorials (bound & printed on both sides of A4 sheet) for each side at the time of verification at Dehradun Main Campus specifying the team code allocated on each memorial.**

d) DRAW OF LOTS

Lots shall be drawn by the teams before the preliminary, quarter final & semi-final rounds to decide the match-ups.

e) MAXIMUM NUMBER OF TEAMS

- i. **A maximum of thirty-three (33) teams** shall participate in the competition which may be increased at the sole discretion of the administrator.
- ii. The teams will be short listed on the merit of their memorials.

f) REGISTRATION FEES

- i. A nominal registration fee shall be charged from the Universities/Colleges/Institutions that have been selected in the memorial rounds. The registration fees shall be:

Rs. 5,000/- : *For Indian participants.*

100\$: *For International participants from Medium and Low HDI Countries.**

200\$: *For International participants from Very High and High HDI Countries.**

***based on UNDP Human Development Index** <http://hdr.undp.org/en/countries>

- ii. Registration fee shall be refunded to any such Institutions/Colleges/Universities that have not been selected (See clause 3(c)(iii) above)
- iii. For Indian Participants: The registration fee charged in accordance with Clause 3(f)(i) must be **submitted by a Bank Transfer/any form of Electronic Transfer of any National Bank.**

A/c name: *University of Petroleum & Energy Studies*

A/c number: *95950999999999*

IFSC code: *YESB0000115*

Bank Name: *YES BANK, Rajpur Road, Dehradun*

Details: *Student name/ Student's University's name*

- iv. For International Participants: The registration fee charged in accordance with Clause 3(f)(i) must be Bank Transfer. All Transfer Fees must be paid by the transferor in US \$ only. The transfer must indicate the name of your University as the transferor, for your university to be given credit for having paid the registration fee.

Beneficiary: *- University of Petroleum & Energy Studies*

Account No: *- 011594600000224*

Yes Bank IFSC Code: - YESB0000115

SWIFT Code:-YESBINBB

Message: Fees for Paras Diwan Moot Court- 6th to 8th April, 2018

Use either of these correspondents Bank for remitting the fees

1. USD JP MORGAN CHASE BANK
765902317 (ABA Routing No: 021000021) CHASUS33
2. USD WELLS FARGO BANK, N.A.
2000193004500 (ABA Routing No: 026005092) PNBPU3NNYC
3. USD CITIBANK, NEW YORK
36321359 (ABA Routing No: 021000089) CITIUS33

A copy of the Bank Receipt/ Transaction ID along with the registration form should be emailed to mootcourt@ddn.upes.ac.in .

- v. ***In case of the Indian participants the Bank Receipt/ Transaction ID need to be attached to the registration form and a scanned copy of the same must be sent via email for final registration. The payment needs to be made at the time of registration.***

4) GENERAL

a) ELIGIBILITY

- i. Students enrolled in full time 3 years or 5 years law programs are eligible to compete in the competition. Each College/Institution/University may send maximum of one team.
- ii. Eligibility for oral rounds shall be on the basis of selection of memorials.

b) OFFICIAL LANGUAGE

The official language of the Competition is English. All competition rounds must be in English.

c) TEAM COMPOSITION

- i. Each team shall include **two (2) speakers**, who shall be accompanied by **one (1) researcher** all of whom shall be designated accordingly.
- ii. Once the registration is complete the team composition must remain the same throughout the competition.
- iii. The change in team composition is subjected to **Clause 3(a) (ii)**.
- iv. No observer is allowed to accompany any team.

d) ACCOMMODATION AND FOOD

- i. Accommodation and Food shall be provided off-campus to all participants on the dates of the competition only, i.e. **from morning of 6th April, 2018 to morning of 8th April, 2018**.
- ii. The transport for commutation from railway station or ISBT (no transportation facility will be provided from airport) to the guest house shall be provided only on prior confirmation of travel plan by the participating teams.

- iii. The transport for commutation from guest house to railway station or ISBT on completion of competition shall be provided as per the schedule, which shall be provided to the teams on their arrival (no transportation facility will be provided to the airport).

e) **CLARIFICATIONS**

- i. Any clarifications sought on the moot proposition need to be addressed via email to mootcourt@ddn.upes.ac.in before 25th December, 2017.
- ii. The queries will be clarified by issuance of a general notification **addressing all queries on 10th January, 2018.**

f) **DRESS CODE**

The dress code of the competition shall be as follows:-

- i. Gentlemen are required to wear a full suit comprising of a black formal coat and trousers, full sleeved white shirt, tie and formal footwear.
- ii. Ladies are required to wear Indian/Western formals with black coat or a full suit comprising of a black formal coat and trousers/ skirt, white shirt and formal footwear/any other regional formals

5) MOOTING ROUNDS

a) **GENERAL**

- i. Every mooting round except the preliminary round shall be *based on the Knock out principle.*
- ii. Every Mooting Round shall be judged and scored on the **basis of criteria prescribed in Clause 9.**

-
- iii. The top eight (8) teams in the preliminary round shall advance to the quarter finals.

b) PRELIMINARY ROUNDS

- i. The teams for preliminary round shall be selected on the merit of their memorial marks obtained in the memorial round, **under Clause 9(b) read with Clause 3(e).**
- ii. The preliminary round shall take place in two sessions.
- iii. No team shall face another team more than once in the preliminary rounds and must appear on each side.(Claimant & Respondent)
- iv. Every team shall have different benches in the two sessions.
- v. Each team shall be evaluated on the basis of “Round Points (RP)” system as prescribed in Clause 9

c) QUARTER FINALS

The top eight (08) teams selected from the preliminary round shall contest in the quarter final.

d) SEMI FINALS

The top four (04) teams selected from the Quarter Final on the basis of Knock-out principle shall contest in the Semi Final.

e) FINALS

The top two (02) teams from the Semi Final round selected on the basis of knock-out principle shall contest in the Final.

f) RANKING

Ranking of all the teams and the speakers for the competition shall be done on the basis of preliminary rounds.

6) MEMORIALS

a) GENERAL

- i. All pages of the Memorial must be formatted or printed on paper of **A4 size (both sides)**.
- ii. All pages of the Memorial must have **margins on all sides of at least one inch i.e. two and a half centimetres (2.5cm)**.
- iii. Arguments advanced shall **not exceed more than twenty-five (25) pages**.
- iv. The memorial Page limit **shall not exceed forty (40) Pages**.
- v. The memorial shall be **in accordance with Clause 6**.

b) CONTENTS

Each Memorial must contain the following sections:

- COVER PAGE
- TABLE OF CONTENTS
- LIST OF ABBREVIATIONS
- INDEX OF AUTHORITIES
- STATEMENT OF JURISDICTION
- STATEMENT OF FACTS
- STATEMENT OF ISSUES
- SUMMARY OF ARGUMENTS
- ARGUMENTS ADVANCED
- PRAYER

c) COVER PAGE

The Cover Page of each Memorial must contain:

- i. The name of the Competition, year and the Registration Code assigned at the time of registration.
- ii. The name of the **Participating University shall not be revealed on the cover page or any other pages of the memorial.**
- iii. The name of the Court appearing before.
- iv. The name of the parties and the sides they are representing.
- v. Cover page of each team's memorial shall be in two specific colours (Red and Blue) **'Blue' representing Claimant's Memorial and 'Red' representing the Respondent's Memorial.**

d) FORMAT

The Memorial shall be formatted in accordance with the following specifications:

- i. **Body Text Font Type:** Times New Roman, Line Spacing: 1.5 lines, Font Size: 12, Headings and Bullets- Font size: 14.
- ii. **Footnotes Font Type:** Times New Roman, Line Spacing: 1 spaced, Font size: 10.
- iii. **The Bluebook Uniform Mode of Citation (19th Edition) or any other recognized uniform method of citation must be strictly adhered to draft the memorials.**

7) ANONYMITY

- i.** Student Counsel shall introduce himself/herself to the court through their Team Codes and side represented. Under no circumstances shall they reveal their identity to any of the competition judges.
- ii.** Further, all team members shall refrain from wearing/carrying anything/ items, such as badges, blazers or identifiable material (such as books, logo or seal of the college, regional/chapter office) which may reveal their identity.
- iii.** Notwithstanding anything in this Rulebook, *any team violating Clauses 6, 7 or 8 or both shall be subject to disqualification.*
- iv.** Decision of the Association and the Administrator shall be final in this regard.

8) PROHIBITION OF EXTERNAL ASSISTANCE

- i.** No team is allowed to receive external assistance for conducting research, writing, editing, formulation or development of its oral arguments or written submissions.
- ii.** No team shall engage, directly or indirectly in behaviour that may reasonably be considered cheating, intimidating or other unfair behaviour.
- iii.** Decision of the Association and the Administrator shall be final in this regard.

9) EVALUATION

a) ROUND POINTS

The teams will be adjudicated on the basis of **Round Points** (“RP”) system. Each preliminary round shall consist of a **total of 9 points**, out of which **6 points are dedicated to Oral scores** and remaining **3 points to Memorial scores**. Maximum points that a team may score after the

completion of Two Preliminary rounds may be 18 (9+9). Therefore, the top-8 teams obtaining total Round Point score closest to 18 shall be qualified for the next round.

Note: For advanced rounds, **memorial marks will not be taken into consideration.** Maximum points that a team can obtain in such advanced rounds may be 9.

i. Memorial round points

Every memorial shall be judged by the bench of two judges. Each Memorial will be marked on a scale of 0-100 as specified in clause 9(b). Every memorial shall account for **3 Round Points** for each Preliminary round. The Memorial scores of the side (Claimant or Respondent) that the teams are arguing in that particular round shall be compared against each other.

i.1) Each Judge shall provide marks to the memorial of both the parties.

i.2) In case the **difference between the memorials marks is $\geq 7\%$** , the team obtaining higher memorial marks shall be **awarded 1.5 Round Points** and the team obtaining lower marks shall obtain 0 Round points.

i.3) In case the **difference between the memorials marks is $< 7\%$** , the team obtaining higher memorial marks shall be **awarded 1 Round Points** and the team obtaining lower marks shall obtain 0.5 Round points.

i.4) Illustration:

Judge 1 gives 80 marks to Team A and; 70 marks to Team B

Team A shall obtain 1.5 Round points and Team B shall obtain 0 Round points.

Judge 2 gives 85 marks to Team A and; 80 marks to Team B

Team A shall obtain 1 Round points and Team B shall obtain 0.5 Round points.

i.5) **In case of a tie, each team shall be awarded 0.75 Round Points** from the judge(s) in whose score-sheet such tie persisted.

ii. Oral Rounds

Each Preliminary Round will be judged by a bench of two Judges, each of whom shall mark every speaker on a score of 0-100. The team with the higher total marks on a particular Judge's score-sheet will be the winner on that Judge's score-sheet

ii.1) Each Judge shall provide marks to both the speakers of both the parties.

ii.2) In case the **difference between the Oral marks of Speaker A1 (or A2) from that of Speaker B1 (or B2) is $\geq 7\%$** , the team obtaining higher oral marks shall be awarded **3 Round Points** and the team obtaining lower marks shall obtain **0 Round points**.

ii.3) In case the **difference between the Oral marks of Speaker A1 (or A2) from that of Speaker B1 (or B2) is $< 7\%$** , the team obtaining higher orals marks shall be awarded **2 Round Points** and the team obtaining lower marks shall obtain **1 Round points**.

ii.4) Illustration:

Judge 1 gives 70 marks to Team A and; 60 marks to Team B (Difference being $>7\%$) **Team A** shall obtain **3 Round points** and **Team B** shall obtain **0 Round points**. **Judge 2** gives 85 marks to Team A and; 80 marks to Team B (Difference being $<7\%$) **Team A** shall obtain **2 Round points** and **Team B** shall obtain **1 Round points**.

ii.5) In case of a tie between the two Teams, each team shall be awarded 1.5 Round Points from the judge(s) in whose score-sheet such tie persisted.

ii.6) Each Advanced Round will be judged by three judges, each of whom shall award a maximum of 3 Round Points.

iii. General Rounds

The top eight (8) ranking teams after considering the Preliminary Rounds will qualify for the Advanced Rounds. Teams shall be ranked according to the following criteria:

a) Teams with a **better win-loss record** in the Preliminary Rounds shall be prioritized; after that;

(*Explanation:* In case two teams have equal number of wins, the team with a lower number of losses would have the better win-loss record.)

b) Second, in case two teams have the same win-loss record, the tie shall be broken in favour of the team having a higher total number of **Round Points**;

c) Third, in case two teams have the same Round points, the tie shall be broken on the basis of aggregate absolute **speaker scores**;

d) Fourth, teams tied on absolute speaker score shall be separated on the basis of their **memorial scores**;

e) Fifth, in an unexpected circumstance if a tie still persists, it shall be decided by the toss of a coin.

b) MEMORIALS

i. The memorials shall be judged by a Panel constituted for the same. Every Memorial shall be assessed on a scale of **100 marks** by the panel members. The average of the marks awarded by the members shall be taken as the final score.

ii. A rank sheet based on the evaluation done in accordance with **Clause 10 (b)** shall be prepared.

iii. **Parameters for marking the memorial are as follows:**

SL. NO	MARKING CRITERIA	ALLOCATED MARKS
1.	UNDERSTANDING OF LAW & EXTENT OF RESEARCH	25
2.	ORIGINALITY, ARTICULATENESS & CLARITY IN ANALYSIS	20
3.	KNOWLEDGE & INTEGRATION OF FACTS	20
4.	LOGICAL PROGRESSION OF IDEAS & USE OF AUTHORITIES	15
5.	PERSUASIVENESS OF PRESENTATION & CORRECTNESS OF CITATIONS	10
6.	GRAMMAR & LEGIBILITY	10
	TOTAL	100

iv. Each Speaker shall be marked on a total of 100 marks by each Bench Judge.

v. The Average of both the speakers shall be taken for scoring the team.

The marking for Oral Submissions during the Mooting Rounds shall be based on the following parameters:

SL.No	MARKING CRITERIA	ALLOCATED MARKS
1.	UNDERSTANDING OF LAW	20
2.	APPLICATION OF LAW TO FACTS	20
3.	INTEGRITY, LOGIC, REASONING AND CLARITY	20
4.	PERSUASIVENESS	10
5.	ORGANISATION AND FLOW OF ARGUMENTS	10
6.	DEFERENCE AND DEMEANOR	10
7.	TIME MANAGEMENT	10
	TOTAL	100

c) RESEARCHER'S TEST

- i. There shall be a researcher's test on **6th April, 2018** at Dehradun Main Campus immediately after the Inauguration ceremony.
- ii. The test will be based on general question relating to the problem and the theme

10) ORAL SUBMISSION

a) TIME DISTRIBUTION

- i. Every Oral Round shall, subject to the sole discretion of the Judges, consisting of sixty (60) minutes of argument. The Claimant and the Respondent shall be allotted thirty (30) minutes each, subject to the discretion of the Judges. Both members designated as Speakers from each Team shall make oral presentations in each round.

- ii. Every team may allocate its thirty (30) minutes among the 2 speakers and the rebuttal/sur- rebuttal as the case may be. Each Speaker will be allocated a minimum of ten minutes (10), not including the time for rebuttal/sur-rebuttal. The rebuttal/sur-rebuttal must be allocated a minimum of two (2) minutes, and a maximum of six (6) minutes. The rebuttal/sur-rebuttal must be presented by one speaker only and it shall not be divided between the two speakers.
- iii. In the Advanced (i.e. quarters, semi and final) Rounds, the total time permitted to each team for presenting their arguments may be extended to forty-five (45) minutes at the discretion of the Judges, with corresponding changes in the minimum time prescribed for each speaker.
- iv. Each Preliminary Round shall be judged by a bench of at least two judges. The Advanced Rounds may be judged by a bench of three or more judges.
- v. The format of rounds (sequence of speakers) will be notified prior to the competition. No queries will be entertained for the format of rounds.

b) SUBMISSION OF AUTHORITIES

- i. All teams must carry along with them case law(s) or authorities" to which they intend to refer.
- ii. Any material carrying the name of the team"s College/University shall be considered violative of provision under Clause 7 & 8, and shall not be permitted to be submitted to any of the judges
- iii. Any material containing pictorial representation shall not be submitted to the Court during the course of Oral Submissions. Also, any form of audio/visual representation shall not be permitted.

- iv. The Speakers must not be allowed to use personal computers, laptops, iPads or any other technical device during their Oral Submissions. The team shall be subject to disqualification in case of violation of any of the above given provisions under this sub-clause.
- v. The passing of Authorities by the teams in the Finals shall be strictly prohibited. All authorities have to be submitted prior to the commencement of the final round.

11) SCOUTING

- i. Teams shall not be allowed to observe the oral submission of any other team. It is strictly prohibited.
- ii. Any such attempt shall be subjected for disqualification.

12) DISPUTE REDRESSAL

All the disputes regarding the competition or the rules shall be addressed by the Administrator and the committee i.e. Moot Court Association.

13) AWARDS

- i. The following awards shall be given at the valedictory ceremony of the competition:

WINNERS - CASH PRIZE OF Rs.50, 000 AND A TROPHY

RUNNERS-UP- CASH PRIZE OF Rs.30, 000 AND A TROPHY.

BEST MEMORIAL- CASH PRIZE OF Rs.20, 000 AND A TROPHY.

BEST SPEAKER- CASH PRIZE OF Rs.10, 000 AND A TROPHY.

BEST RESEARCHER- CASH PRIZE OF Rs.10, 000 AND A TROPHY.

***NOTE: THE AWARDS ARE SUBJECT TO CHANGES AS PER THE DISCRETION OF
THE ADMINISTRATOR***

- ii.** The three team awards include Winner, Runner-Up and Best Memorial Awards and the two individual awards include Best Speaker and Best Researcher.
- iii.** All those teams qualified for the mooting rounds shall be awarded with certificates, except for those who would be disqualified as per Clause 7, 8, 10 & 11.

14) AMENDMENTS

Any amendment in this rule book shall be made by the Administrator in consultation with the faculty.

15) COPYRIGHT

The copyright over the memorials submitted for participation in the competition is assisted by participants and shall vest completely and fully on School of Law, University of Petroleum and Energy Studies. 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.

16) DISCLAIMER

The moot court competition is based on a purely fictitious Compromis/problem, whereby the characters and the incidents or the course of events in the Compromis are completely imaginary and the same has no relation to any person living or dead or any post/present real life incident. The moot court competition is made solely for the purpose of training law students of India in developing an analytical bent of mind and serving the Bar and the Bench to the Best of their abilities.

17. COMMUNICATION DETAILS

A) ADDRESS

KRISHNA DEO SINGH CHAUHAN

FACULTY CONVENOR

MOOT COURT ASSOCIATION

SCHOOL OF LAW, UNIVERSITY OF PETROLEUM AND ENERGY STUDIES,
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UTTARAKHAND, INDIA

PIN CODE: 248007

b) CONTACT

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EMAIL-mootcourt@ddn.upes.ac.in

All calls will be entertained only after 5.00 pm IST.

OFFICIAL SCHEDULE

<u>DATE</u>	<u>PARTICULARS</u>
10TH NOVEMBER, 2017	RELEASE OF MOOT COMPROMIS
25TH NOVEMBER, 2017	LAST DATE OF PROVISIONAL REGISTRATION
15TH DECEMBER, 2017	LAST DATE OF FINAL REGISTRATION
20TH DECEMBER, 2017	LAST DATE OF CLARIFICATION
10TH FEBRUARY, 2018	SUBMISSION OF MEMORIAL
15TH MARCH, 2018	RESULT OF THE MEMORIAL ROUNDS
06TH APRIL, 2018	INAUGURATION AND EXCHANGE OF MEMORIALS
07TH APRIL, 2018	PRELIMINARY AND QUARTER-FINALS ROUNDS
08TH APRIL, 2018	SEMI-FINAL, FINAL ROUNDS AND VALEDICTORY CEREMONY