



Rules for the Fifth edition of Justice Dr. B.P. Saraf National Tax Moot Court Competition, 2019 organized by The West Bengal National University of Juridical Sciences in coordination with All India Federation of Tax Practitioners (Eastern Zone).

RULE 1: INTRODUCTION

- 1.1. The administrator of the Competition shall be the Competition Committee (the “CC”) as constituted by the MCS.
- 1.2. The Competition shall be conducted in accordance with these Rules, and all teams and participants shall be presumed to have read and understood these Rules.
- 1.3. The CC reserves the right to interpret the rules as such.

RULE 2: PARTICIPATION AND ELIGIBILITY

2.1. Team Member Eligibility

All students enrolled on a full-time or part-time basis in either a 3-year LLB course or a 5-year integrated BA LLB (or similar) course at the time of the competition are eligible to compete in the Competition. Each college or university may enter only one team.

2.2. Team Composition and Selection

A Team shall be ordinarily composed of three (3) members, with two Oralists and one Researcher. A two-member team comprising of only two Oralists with no Researcher will also be permitted. A minimum of two members will thus be required for each team.

2.3. Outside Assistance to Teams

All research, writing and editing must be solely the product of Team members.

2.4. Use of Opposing Team's Written Submissions

No Team shall be allowed to view or otherwise become privy to any Written Submission other than the respective Appellant and Respondent written submissions of scheduled

opposing Teams in the course of the Competition.

RULE 3: TEAM REGISTRATION

3.1 Registration Process:

Step 1. Provisional:

To register your University provisionally for the moot court competition, we request you to confirm your participation by sending an email to wbnjujs.aiftp2019@gmail.com with the subject "Provisional Registration for Justice Saraf Moot 2019: (*University Name*)" by July 14, 2019.

Step 2. Final Registration:

In order to complete the registration process by August 3, 2019, the teams must:

- a) Send their team details through the google form-
[Click here](#)
- b) Submit the scanned copy of the Authorisation form and the Demand Draft to wbnjujs.aiftp2019@gmail.com.
- c) The hard copies of the Demand Draft and the Authorisation form must be sent to **Prof. Tilottama Raychaudhuri, Faculty Advisor, The NUJS Moot Court Society, Dr. Ambedkar Bhavan, 12 LB Block, Sector 3, Salt Lake City, Kolkata (Pin code: 700098)** before the deadline.

Each team has to make a demand draft of Rs. 2,000/- in favour of the All India Federation of Tax Practitioners (Eastern Zone) Payable at Kolkata.

Team members' names shall be clearly written/typed on the form(s), with attention given to the spelling of each Team member's name. Names shall appear in the manner that Team members wish them to appear on their participation certificates.

3.2. Team Number as Identification

Each Team shall be assigned a Team Number selected by the CC. Teams shall use their Team Numbers for identification purposes.

Names of participants or their colleges may not appear on or within the Written Submissions. Signature pages are prohibited.

RULE 4: JUDGES

4.1 Three Judge Panels:

Three (3) judge panels shall be utilized whenever possible, except in the preliminary rounds. No judge will be directly affiliated with any Team participating in the round at which they are judging. In extenuating circumstances, the CC may authorize panels of two (2) judges. The final rounds of the competition will be judged by a larger, odd-numbered bench.

4.2 Anonymity of Teams

The identity of a Team shall be kept completely confidential during the Competition.

4.3 Prior Viewing of Teams

Judges should not view a Team which they have viewed in a previous Round of the Competition. If a judge must view a Team twice, the CC shall strive to ensure that the judge views the Team's opposite side.

4.4. Feedback by Judges

Judges in any Round of the Competition are encouraged to provide direct feedback to Teams regarding the Teams' performance at the completion of the Round. Judges shall not reveal to any Team the results of their individual determinations or the Team's Scores.

RULE 5: CLARIFICATIONS OF THE COMPETITION PROBLEM OR RULES

Teams may submit written requests for clarifications of the Moot Problem or these Rules. Requests for such clarifications must be received by the CC by 18th August, 2019. Teams may submit requests for clarifications by email only. All clarifications to legitimate requests will be summarised and answered to the participating colleges/universities by 21st August, 2019. If, however, the college/university has failed to provide the CC with the details of a contact person, the CC would not be responsible for clarifications sought and corrections required.

RULE 6: WRITTEN SUBMISSIONS

6.1 Submission of Written submissions

All Written submissions must conform to the following general requirements. Teams will be penalized for failure to abide by these requirements. Each team shall prepare an Appellant and a Respondent Written submission. Each Team participating in the Competition must submit 6 hard copies (printed or photocopied, black print on a white background) and one soft copy, (the software used should be Microsoft Word 2007 or above or compatible software, entries in PDF format will not be accepted) of the appellant as well as the respondent Written Submission. Teams shall post their Written Submissions by speed post or any other faster means of delivery duly addressed to 'Prof. Tilottama Raychaudhuri, Faculty Advisor, The NUJS Moot Court Society, Dr. Ambedkar Bhavan, 12 LB Block, Sector 3, Salt Lake City, Kolkata (Pin code: 700098)' no later than 13th September, 2019. However the last date for submission of soft copy of Memorials is 8th September, 2019 and must be sent to the e-mail id: wbnjujs.aiftp2019@gmail.com. The Written Submission in soft copy must be identical to the hard copy of the Written Submission. Teams that fail to mail Written Submissions on time will be penalized. Equipment failure or problems, including computer disk failure, will not be considered an excuse for improper formatting or late mailing of Written Submissions. Teams must also send one soft copy of the Written Submissions as an email attachment by 8th September, 2019 to e-mail id: wbnjujs.aiftp2019@gmail.com. Once submitted to the CC, Written Submissions may not be altered. If pages are inadvertently left out in the collating process, the CC may allow a Team to correct the deficiency.

6.2 Format of Written submissions

Written Submissions must be typed and reproduced on white standard A4 paper (21 x 29 3/4 centimetres) except for the covers, where coloured paper must be used. The font and size of the text of all parts of the Written submission (except the cover page), must be in Times New Roman 12-point. Footnotes may be in Font size 10. The text of all parts of each Written submission must have one and a half spacing, except that (a) the text

of footnotes and headings may be single-spaced, but there must be double-spacing between separate footnotes, and between each heading and the body-text of the Written submission and (b) quotations to sources outside of the Written submission of 50 words or more in any part of the Written submission shall be block quoted (i.e. right and left indented) and may be single-spaced.

6.3 Description of the Written Submission

6.3.1 Parts of the Written Submission

The Written Submission shall consist of the following parts:

- i. Table of Contents;
- ii. Index of Authorities;
- iii. Statement of Jurisdiction;
- iv. Statement of Facts;
- v. Questions Presented;
- v. Summary of Pleadings;
- vi. Pleadings, including the Conclusion/Prayer for Relief; and
- vii. Appendix (Optional).

6.3.2 Legal Argument Limited to Pleadings Section

Substantive, affirmative legal argument or legal interpretation of the facts of the Moot Problem may only be presented in the “Pleadings” section of the written submission, including the conclusion/prayer for relief (except insofar as such argument may be summarised in the “Summary of Pleadings” or anticipated in the “Questions Presented”). Teams which include arguments or legal interpretation in any other part of the written submission shall be penalised.

6.3.3 Index of Authorities

Each Written Submission shall include an “Index of Authorities.” The Index of Authorities shall contain a list of all legal authorities cited in any section of the Written Submission. This list shall include a description of each authority adequate to allow a reasonable reader to identify and locate the authority in a publication of general circulation.

6.3.4 Statement of the Facts

Each Written Submission shall include a full “Statement of the Facts.” The Statement of the Facts shall be limited to the stipulated facts and necessary inferences from the problem and any clarifications to the same. The Statement of the Facts must not include unsupported facts, distortions of stated facts, argumentative statements, or legal conclusions.

6.3.5 Summary of the Pleadings

Each Written Submission shall include a “Summary of the Pleadings.” The Summary of the Pleadings shall consist of a substantive summary of the “Pleadings” section of the Written Submission in paragraph form, rather than a simple reproduction of the headings contained in the Pleadings section.

6.3.6. Pleadings & Prayer

The pleadings shall contain the substantive arguments with appropriate citations. The teams must endeavour to follow a uniform method of citation. The prayer shall be the effective remedies requested in the pleadings.

6.3.7. Appendix

All teams have the option of including an appendix. The appendix may contain all relevant provisions of law and a summary of important judgements cited if any. The appendix shall not exceed 10 pages and should follow the format of the rest of the written submission.

6.4 Length

The “Pleadings” section of the Written Submission, including footnotes or endnotes which refer to the “Pleadings” section of the Written Submission, and the Prayer may have no more than **7000 words**.

6.5 Margins

Each page of the Written submissions (regardless of content) shall have margins of at least one inch, or two point six (2.6) centimetres, on all sides, excluding page numbers.

6.6 Covers

6.6.1 Different-coloured Covers

Each Team must distinguish its Appellant Written Submission from its Respondent Written Submission by submitting each with a different-coloured, non-white cover. The colours chosen by the Team to distinguish Appellant and Respondent written submissions are to be as follows: **Blue** for Appellant and **Red** for Respondent.

6.6.2 Information Contained on Cover of Written submission

Each Written submission should bear on its cover the following, and only the following: (a) the Team Number (as assigned); (b) the name of the court; (c) the name of the parties; (d) the nature of the case (Civil/ Criminal/ Writ/LP etc.); and (e) the title of the document (i.e., "Written submission for Respondent" or "Written submission for Appellant").

6.7 Binding

Written submissions must be fastened by ring, spiral or comb binding along the left side of the written submission. No other form of binding including stapling or book-binding is permitted.

RULE 7: ORAL PLEADING PROCEDURES

7.1 General Procedures

Preliminary Rounds of the Competition shall consist of sixty (60) minutes of oral pleadings.

The Appellant and Respondent shall be allotted thirty (30) minutes each during Preliminary Rounds. Two (2) members, and no more than two (2) members, from each Team shall make oral presentations during the round. Prior to the beginning of the Oral Round, each Team shall brief the Court Clerk regarding the manner in which they wish to allocate their 30 minutes among (a) the first Speaker, (b) the second Speaker, and (c) rebuttal (for Appellant) or sur-rebuttal (for Respondent). Only one Team member may deliver the rebuttal or sur-rebuttal. No single Speaker shall plead more than twenty (20) minutes during Preliminary Rounds, including rebuttal or

sur-rebuttal. Any Team member may act as a Speaker during any round of the Competition.

During Quarterfinals, Semifinals and Final Rounds the Oral Rounds shall consist of ninety (90) minutes of oral pleadings. The Appellant and Respondent shall be allotted forty-five (45) minutes each during every subsequent round after Preliminary Rounds. Two (2) members, and no more than two (2) members, from each Team shall make oral presentations during the round. Prior to the beginning of the Oral Round, each Team shall brief the Court Clerk regarding the manner in which they wish to allocate their 45 minutes among (a) the first Speaker, (b) the second Speaker, and (c) rebuttal (for Appellant) or sur-rebuttal (for Respondent). Only one Team member may deliver the rebuttal or sur-rebuttal. No single Speaker shall plead more than twenty-five (25) minutes during each subsequent round after Preliminary Rounds, including rebuttal or sur-rebuttal. Any Team member may act as a Speaker during any round of the Competition

7.1.1 Extension of Time at Judges' Discretion

Judges may, at their discretion, extend total Team oral argument time beyond the forty-five (45) minute allocation, up to an additional five (5) minutes per Team. Speakers asked to further expand upon arguments may, in this instance, appear for more than the twenty-five (25) minute individual limit.

7.2 Order of Submission

The order of the oral submissions in each Round at all levels of the Competition shall be: Appellant 1 --> Appellant 2 --> Respondent 1 --> Respondent 2 --> Rebuttal (Appellant 1 or 2) --> Surrebuttal (Respondent 1 or 2). Each Team may reserve up to five (5) minutes for rebuttal or surrebuttal. As a courtesy to the judges, Teams should announce whether they intend to reserve time for rebuttal or surrebuttal at the beginning of their oral argument, and how much time they intend to reserve. Only one Team member may deliver the rebuttal or surrebuttal.

7.3 Ex Parte Procedure

In extreme circumstances, such as when a Team fails to appear for a scheduled Oral Round, the CC, after waiting ten (10) minutes, may allow the Oral Round to proceed ex parte. In an ex parte proceeding, the attending Team presents its oral pleading, which is

scored by the judges to the extent possible as if the absent Team had been present and arguing. In such a case, the Team that fails to appear for the scheduled Round forfeits all six (6) of the Round's Oral Round Points.

7.4 Team Members

During each Oral Round, one (1) additional Team member may sit at the counsel table with the two (2) Speakers. The person sitting shall be one of the Team members registered pursuant to Rule 3.1.

7.5 Competition Communications

Oral communications during the Oral Round shall be strictly limited to the following. Any Team which engages in communications not listed in this Rule shall be penalised.

7.5.1. Oral Courtroom Communication between Counsel and Judges

Each Speaker designated to present oral pleadings may communicate with the judges, and the judges may communicate with that Speaker, during the Speaker's allotted time, and pursuant to Rule 7.1. In addition, in extraordinary circumstances, the judges may communicate directly with either Team's counsel table (for example, to clarify the spelling of a Speaker's name or to request that a Team remain quiet during its opponent's oral presentation).

7.5.2 Oral Courtroom Communication and Activity at Counsel Table

Every courtesy shall be given to Speakers during oral argument. Communication at the counsel table shall be in writing to prevent disruption, and Teams shall avoid all unnecessary noise, outbursts, or other inappropriate behaviour which distracts from the argument in progress. Any Penalties imposed under this Rule shall be deducted from the Oral Scores of both Speakers of the offending Team.

7.5.3 Written Courtroom Communication

Written communication during the Oral Round shall be limited to (a) written communication among a Team's members seated at the counsel table, and (b) a

Team member at counsel table handing a document to an Speaker when that Speaker has been questioned about such document during the course of his or her argument or (c) a written note to assist the Speaker in answering an issue raised by the judges. No

other written communication may take place among the Speaker, Team members seated at counsel table, spectators or Team members not present at the counsel table. There is no prohibition on the teams handing over supporting documentation to the judges, but the same should be done through the court clerk.

7.6 Spectators

All Preliminary Rounds should be open to the public. Non-affiliated persons, including friends and relatives of Team members, may attend any Oral Round. Presence of coaches, advisors, or other spectators affiliated with the Team is permitted in the courtroom during an Oral Round involving the Team, as long as it is in conformity with the provisions of these Rules.

7.6.1 Scouting

No Team member or person directly affiliated with any Team may attend any Preliminary Round other than those in which their Team is competing. Any team proved to have been scouting shall forfeit all six Oral Round Points in a Preliminary Round.

7.7 Anonymity of Teams in Courtrooms

Teams shall be identified by Team Number and the side of the dispute they represent only. However, Team members may provide their individual names to the judges for purposes of conducting courtroom discussions.

Participants shall not disclose the identity of their Team through direct or indirect means, including statements to judges, name tags or other signifiers, the placement of folders, files, library books or other materials bearing the name or logo of the school on the counsel table, and the wearing of pins or clothing revealing the identity of their school.

RULE 8: COMPETITION PROCEDURES

8.1 Preliminary Rounds

Each Team participating in the Competition shall participate in Preliminary Rounds

consisting of two (2) Oral Rounds, once as Appellant and once as Respondent. Each Team shall face any opposing Team only once in the Preliminary Rounds.

8.1.1. Pairings

The pairing of Teams for Preliminary Rounds shall be done, in the first instance, by a draw of lots on 20th September, 2019. Official pairings of Teams once completed by the CC shall be final, except as may be modified by the CC to account for Teams which do not appear at the start of the Competition or to separate teams which have already met each other once. The CC shall have the power in such circumstances to revise the pairings. If Teams newly paired, they must be provided appropriate Written Submissions as soon as reasonably possible, but in no event less than fifteen (15) minutes prior to the start of the newly paired round.

8.2 Quarter-final, Semi-final and Final Rounds

The eight highest-ranking teams from the preliminary rounds will advance to the quarter-finals and will meet each other in knock-out competition. The winners of the quarterfinals will advance to the semi-finals and the winners of the semi-finals shall participate in the final rounds. In the quarter finals the highest ranked team in the preliminary round will face the lowest ranked team and so on. (1 v. 8, 2 v.7....). The same method shall *mutatis mutandis* apply to the other rounds of the Competition.

8.3 Pleading option

The pleading option (“the right to choose which side to argue”) in the knockout rounds shall be determined by a coin toss. The CC shall appoint the party to toss the coin. Once the pleading has been selected, the opposing Team shall be notified immediately of the side it shall argue in the next round and both Teams shall be granted a reasonable time to prepare for the next round. Written submissions shall be exchanged immediately upon the exercise of the pleading option.

RULE 9: COMPETITION SCORING

9.1 Preliminary Rounds

Scoring of the Preliminary Rounds shall consist of two parts: the scoring of the Written Submissions, and the scoring of the oral arguments.

Each Team Written submission shall be submitted to two (2) Written Submission

judges. The Written submissions shall be reviewed and scored by each judge on a scale of fifty (50) to one hundred (100) points.

Likewise, each Oral Round will be scored by a panel of two (2) judges. Each judge shall score each Speaker on a scale of fifty (50) to one hundred (100) points.

9.1.1. Grounds of Scoring:

The written submissions will be judged inter alia on the following grounds:

1. Knowledge of law and facts.
2. Clarity, brevity and style.
3. Use of authorities and citation.
4. Analysis and organisation.
5. General impression.

The oral submission will be judged inter alia on the following grounds:

1. Knowledge of law.
2. Use of authorities.
3. Interpretation of facts and appreciation of principles of evidence.
4. Ingenuity and persuasiveness.
5. Style, poise and court mannerisms.

9.1.2. Scoring by Judges:

The judges are expected to score the written and oral submissions keeping in mind the following criteria:

1. Excellent: 18 - <20 points.
2. Good: 16 - <18 points.
3. Fair: 14 - <16 points.
4. Average: 12- <14 points.
5. Poor: 10- <12 points.

No judge shall score a written or oral submission at less than 50 points.

9.2 Calculation of Scoring Points

Two (2) categories of points shall be awarded to Teams in each stage of the Competition:

Team Score and Round Points.

9.2.1. Team Scores

The calculation of Team Scores shall be subject to the deduction of Penalty Points under the provisions of Rule 13.

9.2.1.1 Written Submission Team Scores

The calculation of the Total Written Submission Score for each Team per Oral Round is determined by adding together the two (2) Written Submission judges' scores for the side the Team argued in that respective Oral Round.

The Total Competition Written Submission Score is determined by adding all four (4) scores for the Applicant and Respondent Written Submissions combined. This total score shall be used for purposes of Best Written Submission Awards.

9.2.1.2 Oral Team Scores

The calculation of the Total Oral Team Score for each Team per Round shall be determined by adding the scores of the two (2) judges for each Speaker. There will be total of four (4) scores per Team (2 Speakers) per round.

9.2.1.3 Total Team Scores

The Total Team Score for each Round shall be the sum of the Team's Total Written Submission Team Scores for that round and the Team's Total Oral Team Score for that round. The Total Competition Team Score shall be determined by adding the Total Team Scores from each of the two rounds.

9.2.2 Round Points

9.2.2.1 Written submission Round Points

A total of two (2) Round Points may be awarded to Written Submissions in each Round. The individual Written Submission judges' scores for each Team participating in a round are compared to that judge's score for the opposing Team. For each

comparison, the Team with the higher score will be awarded one (1) Round Point. If a judge rates the Teams equally, the point from that judge shall be split, each Team receiving one-half (.5) of a Judge's Point.

9.2.2.2 Oral Round Points

A total of four (4) Round Points may be awarded for oral argument scores in each Round. The score from each judge's evaluation of the two Speakers combined shall be compared to that judge's score for the two Speakers on the opposing Team. The higher scoring Team per judge per round shall be awarded two (2) Round Points. If a judge scores the Teams equally, the points from that judge are split, each Team receiving one (1) Round Point.

9.2.2.3 Total Round Points

The Total Round Points for each Round shall be the sum of a Team's written submission Round Points and Oral Round Points.

9.3 Determination of Winners and Rankings from Preliminary Rounds

9.3.1 Determination of Winner of an Individual Round

The winner of the round will be determined by Round Points. The Team receiving the greatest number of the six (6) available Round Points wins the round. In the event that Teams have an equal number of Round Points, the Team with the highest Total Team Score shall be declared the winner of the Round.

9.3.2. Total Competition Round Points

The total number of Round Points obtained by a team in the preliminary rounds shall govern Team rankings. The Total Competition Round Points are calculated by adding the Total Round Points from the Team's two (2) Rounds.

9.3.3. Total Competition Team Scores

If two (2) Teams are tied after comparing total round points, the Total Team Score then controls and the Team having the highest Total Team Score from the Preliminary Rounds shall be ranked higher. The Total Team Scores are calculated

by adding the Team Scores from the Team's two (2) Rounds.

9.3.4. Win-loss

If after comparing the total point teams are still tied, then the win-loss record will govern the rankings. A Team with a win-loss record of 2-0 (2 wins, 0 losses) will rank higher than a Team with a win-loss record of 1-1 (1 win, 1 loss), which will rank higher than a Team with a win-loss record of 0-2, etc.

9.3.5. Tie-Breaking Procedure

If two or more Teams are tied after application of Rule 9.3.4., the rankings shall be accomplished as follows:

(a) If only two (2) Teams are tied and if the two (2) tied Teams have faced each other in the Preliminary Rounds, the winner of that Round may be ranked higher for purposes of Final Rankings.

(b) If only two Teams are tied and the Teams have not faced each other in earlier Rounds, and time permits, a special Run-Off Round may be scheduled. The pleading option for such a Round should be determined by coin toss. The coin toss shall be called by the CC. The winner of such a Round shall be ranked higher for the purposes of Final Rankings. If none of the methods described herein settles the tie, the CC shall determine the proper method for establishing official rankings at their discretion, taking into consideration the interests of the Teams and the Competition as a whole.

9.4 Scoring Procedures for Advanced Rounds

The same scoring procedure will be applied in the advanced rounds. The team with the higher round points will be deemed to have won the court. If the round points are tied then the round score will be considered. In case of a tie after consideration of the round score, the team whom a majority of the speaking judges consider better will be declared the winner.

9.4.1 Judges' Comments

Judges are encouraged to provide direct feedback to Teams regarding their performance at the completion of the Oral Round. They shall not engage in any commentary which may reveal the content of the Bench Memorial or announce the winner of the round.

9.5 Winners

The winner of the Championship Round shall be Champion and the opposing Team shall be recognized as the Runner-Up.

9.6 Reporting of Results

After the conclusion of each Competition, each Team participating in such Competition shall receive the following:

- (a) A copy of individual written submission judges' score sheets and Penalties, if any, with attendant comments, if any;
- (b) A copy of individual oral judge's score sheets and Penalties, if any, with attendant comments, if any, from Preliminary Rounds of the Competition;
- (c) A copy of the Overall Rankings of the Preliminary Rounds of the Competition, with the Total accumulated Win-Loss records, Overall Team Scores, and Overall Round Points;
- (d) A copy of the Speaker Rankings from the Preliminary Rounds of the Competition, including all Total Individual Oral Scores;
- (e) A copy of the Written submission Rankings from the Preliminary Rounds of the Competition, including all Total Written submission Scores; and
- (f) A summary of the Advanced Rounds of the Competition.
- (g) A synopsis of the performance of the team in table form, including speaker performances and opposition performances.

RULE 10: PENALTIES

10.1 General Procedure

The following is a list of Penalties which may be imposed upon Teams in the Competition.

10.2 Types of Penalties

The power of the CC to assess Penalties is divided into two (2) categories: Non-discretionary

(Rule 10.5), and Discretionary (Rule 10.6). Non-discretionary and Discretionary Penalties shall be applied against a Team either as a Generic or Specific Penalty.

Generic Penalties are a general violation and apply against a Team in all of its rounds, e.g. mailing a Written Submission late to the CC.

A Specific Penalty is a specific violation, and shall apply against a Team only in a specific round, e.g. being penalized for disruptive behaviour against one particular Team.

10.3 Application of Penalties

All Penalties apply against each judge's score, i.e. a Penalty of fifteen (15) points shall have a cumulative effect of forty-five (45) total points from the combined score of three (3) judges.

10.4 Mandatory Penalties

For the following violations, Penalties will be assessed as a matter of course, without discretion on the part of the CC.

10.4.1 Mandatory Written submission Penalties

The following Penalties may be imposed only by the CC and shall be deducted from each of the individual judges' scores on a Team's written submission. In the event that a written submission is scored by only two (2) judges under Rule 9.3, the Penalties shall be deducted from each of the two (2) judge's scores prior to calculating the third score.

In instances where only one written submission is in violation of the Rule, Written submission Penalties may be deducted from the scores of the offending written submission only.

The CC shall notify all affected Teams of imposed Penalties prior to the first Preliminary Round.

10.4.1.1 Delay in Mailing Written submissions

Written submissions postmarked after the deadline as designated shall be penalized five (5) points.

10.4.1.2 Extreme Delay in Mailing Written submissions

Written submissions shall be penalized three (3) points per day, in addition to the initial five (5) points described in Rule 10.4.1.1 for delay up to an additional five (5) days. Written submissions for either the Appellant or Respondent not postmarked within six (6) days of the deadline shall not be submitted for judging, and shall automatically receive disqualification.

10.4.1.3 Other Mandatory Written submission Penalties

Penalties shall be assessed for violations of other Rules concerning the written submissions by reference to the following table:

Rule Number	Summary	Penalty
3.2, para. 2	Indication of team identity in Written Submission	5 points
6.2	Font of inconsistent size, improper line spacing, or improper format of block quotations)	2 points per violating page, up to a total of 10 points
6.3.1	Failure to include all parts of Written Submission	5 points for each missing part

6.3.2	Substantive legal argument outside of approved sections of Written Submission	5 points
6.4	Excessive length of Pleadings	1 point per 10 words exceeded
6.7	Improper Binding	5 points

10.4.2 Mandatory Oral Pleading Penalties

10.4.2.1 Procedure

The CC is empowered to impose Mandatory Oral Pleading Penalties based upon consultation with the judges only. If the CC confirms the occurrence of an event subject to imposition of Mandatory Penalties, the Penalty may be applied. In instances where the judges cannot confirm the occurrence or the judges have provided only written commentary on the occurrence, the CC shall consult with the affected Teams and courtroom clerk prior to imposing the Penalty.

If a Team believes that a violation of a nature which would incur a Oral Pleading Penalty has occurred, the Team may bring the alleged violation to the attention of the courtroom clerk in writing within five (5) minutes of the completion of the Oral Round during which the alleged violation occurred. Written complaints shall clearly identify the violation and the parties involved in the violation. The Teams shall in no case directly approach the judges regarding a potential Penalty or violation of these Rules. Complaints brought directly to judges shall be disregarded. If there is no clerk, Teams shall approach the CC with complaints.

10.4.2.2 Consultation with Clerks

The CC shall consult with the clerk and the judges, to verify or otherwise confirm a Penalty. The clerk shall inform the CC of the alleged violation. The CC shall consult with the judges in investigating the alleged violation. If the CC cannot be located, the clerk shall assist the judges to summarize the complaint and their impressions briefly on paper for the benefit of the CC. Courtroom clerks may not confirm a ruling or interpret these Rules, but may only provide assistance in verifying circumstances or the occurrence of an event.

10.4.3 Activity Subject to Mandatory Penalties

Penalties shall be assessed for violations of other Rules concerning the Written Submissions by reference to the following table:

Rule	Summary	Penalty
7.5	Improper Courtroom communications	5 points
7.6.1	Scouting	See Rule 7.6.1 for description of penalty.
7.9	Violation of anonymity In courtroom	15 points

10.5 Discretionary Penalties

10.5.1 General Violations

The CC may assess up to fifteen (15) point Penalties for violations of these Rules not specifically listed under Mandatory Penalties including, but not limited to, violations as to revisions and form of Written Submissions and inappropriate behaviour on the part of Team members or affiliated parties during the Competition. The size of the Penalty shall correspond to the degree of the violation in the judgment of the CC. Discretionary Penalties shall be imposed only by the

CC. Teams shall bring potential violations to the attention of the CC in writing.

10.5.2 Special Consideration for Oral Rounds

Only judges or clerks shall be empowered to bring potential violations from the oral proceedings to the attention of the CC. Exceptions shall be made in circumstances involving violations that occur prior to or after the actual oral proceeding outside the courtroom where judges or clerks would not otherwise be privy to the circumstances, or in situations where the courtroom judges clearly ignore their obligations. In such instances, Teams may submit timely written notification of potential violations to the CC.

10.5.3 Activity Subject to Discretionary Penalties

10.5.3.1 Unsportsmanlike Behaviour by Team Members or Affiliated Persons

The CC may, after consultation with judges, impose up to a fifteen (15) point Penalty against a Team for behaviour which substantially prejudices the conduct of the Competition, including, but not limited to:

- engaging in poor sportsmanship;
- submitting multiple frivolous complaints against other Teams;
- engaging in inappropriate behaviour at the counsel table during the Oral Rounds;
- engaging in inappropriate discussion with oral pleading judges before their submission of scores at the end of a Round; and
- exhibiting blatant disregard for the procedures or requirements outlined in the Rules.

Activity giving rise to a Penalty for unsportsmanlike conduct in the courtroom must be witnessed by at least the clerk or one judge in the courtroom. In all cases, the CC shall hear from both Teams, i.e. the Team alleging a violation (or allegedly harmed by a violation) and the Team alleged to have committed the violation, and consult with the clerk, and judges before making a final determination.

Penalties for unsportsmanlike behaviour may be imposed in addition to any other Penalties that may have been imposed under the provisions of these Rules.

10.5.3.2 Activity of Affiliated Persons

In exceptional circumstances, the CC has the discretion to impose from three (3) to fifteen (15) point Penalties when a coach, advisor or other person affiliated with the Team has disclosed his or her Team's identity to one or more judges before whom their Team shall compete. For coaches or advisors who are concerned that they may be recognized by judges, concerns may be alleviated by avoiding talking to, sitting near or directly behind either Team and not communicating with either Team in the presence of the judges

10.6 Notice to Teams

The CC shall notify Teams of the imposition of such Penalties prior to the beginning of the Preliminary Rounds, if possible, or as soon as practicable if incurred after the beginning of the Preliminary Rounds.

10.7 Appeals

Any penalized Team shall be granted an opportunity to reply to complaints by opposing Teams or Penalties assessed by the CC prior to a final ruling. The CC may protect the anonymity of a complaining Team. Appeals of a Penalty assessment or Rules interpretation of the CC shall be provided to the Grievance Redressal Committee in writing within one (1) hour of notice of the Penalty. The

Grievance Redressal Committee's decision on all appeals is final.

RULE 11: INTERPRETATION OF RULES

11.1 General

Questions concerning the interpretation of these Rules must be submitted to the CC.

Clerks, administrative assistants and judges are not authorized to interpret these Rules.

11.2 Power to Promulgate Additional Measures

The CC may promulgate such other measures as may be deemed advisable for the orderly conduct of the Competition or to correct deficiencies in the Competition.

RULE 12: GRIEVANCE REDRESSAL COMMITTEE

The Grievance Redressal Committee shall be comprised of two senior professors of NUJS and one Office Bearer of AIFTP. The Grievance Redressal Committee shall deal with all disputes arising out of the Competition in accordance with these Rules.

RULE 13: EQUITY COMMITTEE

There shall be an Equity Committee composed of two nominated equity officers who will be introduced to the participating teams by the Convenor/Co-convenor of the Moot Court Society at the time of inauguration to deal with issues relating to sexual harassment. The Equity Policy of NUJS Moot Court Society will be sent to all of the participating teams prior to the dates of the Moot Court Competition.

RULE 14: AWARDS, CASH PRIZES & CERTIFICATES

The following awards will be given in accordance with these rules:

- (1). Champion Team – Winner Trophy, Certificate & cash prize of Rs. 20,000.00
- (2). Runners Up Team- Runner Up Trophy, Certificate & cash prize of Rs. 12,000.00
- (3). Best Speaker- Certificate & cash prize of Rs. 5,000.00
- (4). Best Memorial- Certificate & cash prize of Rs. 5,000.00 would be awarded to the team which wins the Best Memorial.

RULE 15: ACCOMMODATION

Accommodation of the participants shall be provided by the organizers.