



MOOT COURT SOCIETY

THE MOOT COURT SOCIETY RULES AND REGULATIONS 2021-2022

MOTTO

Improvidus, Apto, Quod Victum meaning Improvise, Adapt, And Overcome

VISION

The Moot Court Society raison d'être the values of effective oral advocacy and legal drafting skills to sharpen the students' acumen for the legal profession. Thus, help in moulding the budding lawyers of today to understand the nuances of justice in its truest sense so that justice brightens up the darkest moment of in-justice ever served.

1. ESTABLISHMENT

- a. The Moot Court Society ("MCS") shall comprise of a Core Committee which would be headed by the *Chairperson(s)*.
- b. In addition to the abovementioned persons, there shall be a *Faculty-In-Charge* for the purpose of guiding and overseeing the activities of the MCS.
- c. Only the Committee Members of the MCS are eligible to apply for the Core Committee.
- d. Students interested to be a part of the Core Committee must send an e-mail consisting of their Curriculum Vitae ("C.V.") to the official email ID / duly fill the form generated for such purposes. This email / form shall be treated as the application for the Core Committee and therefore must be correct and complete in all aspects and in accordance to the rules prescribed by the MCS.



- e. The interviews for the new Core Committee would be conducted by the existing Core Committee under the guidance of the *Faculty-In-Charge*.
- f. Membership to the MCS is open to all students. In order to seek membership, the students are required to follow the procedure stipulated for it by the Core Committee of the MCS in consultation with the *Faculty-In-Charge*.
- g. The *Faculty-In-Charge* has the authority to create a new post, appoint / remove any member of the MCS.

2. ALLOTMENT PROCEDURE

Moot Court Competitions and Trial Competitions shall be allotted through the process of:

- i. Allotment
- ii. Eliminations

A. ALLOCATION PROCESS :

I. SPEAKERS:

- i. Students shall be permitted to participate as speakers in the moot allotted to them only if their name appears on the Intra Speakers List. To appear on the Intra Speakers List, one must participate in the Intra Moot Court Competition organized by the MCS and secure scores in accordance with the scoring system of the Intra Moot Court Competition.

In the event of completion or unavailability of Speakers from the Intra Speakers List, the Provisional List of Speakers shall be utilized. The Provisional List of Speakers shall consist of only those students who have secured the next highest ranks to the Intra Speakers list.

ii. The bidding procedure shall be as follows:

- (1) The students shall be notified about the upcoming moot court competitions via the Student Portal / Moot Court Society's website / WhatsApp media platform.
[Please refer to Pandemic Rules and Regulations Point 2]
- (2) The students upon reading the Notice, after the Moot Court Competition is officially published and wish to go for the said Moot Court Competition, will be required to form a team of three members i.e., 2 Speakers from the Intra Speakers list and One Researcher from the Intra Researchers List;
- (3) The teams shall bid for the said Moot Court Competition showing interest in representing the College in the said Moot Court Competition. The teams shall be given 48 hours (subject to the respective registration dates) to bid for the Moot Court Competition once the notice is put up.
- (4) The team with Speakers from highest rank and highest score of the Researcher shall be allocated the Moot Court Competition;
- (5) The teams cannot take back their bid once they have shown interest and once an official bid has been sent to allocation.mcs@gmail.com.
- (6) In the circumstances of one of the team member(s) backing out, the said position shall be open to individual bidding from the respective Speakers / Researchers List for a period of 12 hours and the highest rank and scores shall be considered for the same.
- (7) In case of no individual person bidding for the said provision, the position in that particular Moot Court Competition shall be open to solo elimination for the vacant post for which the registration shall be done within 12 hours and the Eliminations shall be conducted in the minimum period of time as to complete the registration process.

- (8) The allocated rank from the respective Intra Speakers or Intra Researchers list can only be used once by the student in the allocation process for Moot Court Competitions and shall be exhausted after the same.

II. RESEARCHERS:

- i. A student shall be permitted to go as a researcher only if he / she appears on the Intra Researchers List. The Researchers List shall be prepared on the basis of the scores secured by the student in the Researchers' Test conducted by the MCS prior / post the Intra Moot Court Competition;

III. INTRA TRIAL ALLOCATION:

- i. A team shall be permitted to participate in a Trial Competition if they are on the Rank List of the Intra Trial Advocacy, 2021. To appear on the rank list as a team, students must participate in the Intra Trial Advocacy Competition and receive score as per the scoring system of the Intra Trial Advocacy Competition.
- ii. The procedure mentioned in Rule 2(A)(ii)(1-5) shall be applicable in the procedure for bidding.
- iii. In the circumstances of one team or either member of the team backing out, the trial so allotted to the team shall be open to bidding for the remaining teams on the rank list (if any) and the same shall be done within 12 hours.
- iv. In the circumstances that none of the teams bid for the trial, the same shall be open for eliminations which shall be conducted in the minimum period of time to complete the registration process.

- IV.** If any mentor / additional researcher /team manager is required to assist the team, the MCS shall arrange the same, provided the team approaches the MCS in not less than 7 days prior to the Competition.

ILLUSTRATION: -

Taking 4 teams approach for a particular moot court competition named XYZ Moot.

Teams	Speaker 1	Speaker 2	Researcher
A	AAA (Rank 6) [Score 185]	BBB (Rank 8) [Score 171]	CCC (Rank 6) [Score 125]
B	DDD (Rank 7)	EEE (Rank 9)	FFF (Score 14)
C	GGG (Rank 11)	HHH (Rank 27)	III (Score 16)
D	JJJ (Rank 4) [Score 190]	KKK (Rank 11) [Score 169]	LLL (Rank 3) [Score 132]

Team B & C automatically will get ruled out. Now out of A & D the Scores of [AAA + BBB + CCC] and [JJJ + KKK+LLL] will be added. The team which has a higher score wins the bid. In the above illustration it is **Team D who wins the bid and goes for XYZ Moot.**

B. ALLOTMENT THROUGH ELIMINATION:

- i. Moot Court Competitions and Trial Competitions can be allotted to students after conducting Eliminations.
- ii. A notice shall be put up on the Notice Board and via the Student Portal *[Please refer to Pandemic Rules and Regulations point 2]* at least one week prior or as / when the college receives an invite of the competition (Provisional Registration) with the details of the Elimination Rounds to be conducted. Students are expected to read and follow the instructions stated in the notice therein. Students interested in doing a moot / trial, the selection for which is via Eliminations, must register for the Elimination round and participate in the Eliminations. The registration for the elimination shall require team participation stated in the Notice for Elimination. The registration of the team must be mailed at allocation.mcs@gmail.com with the details provided in the Notice of the MCS.

- iii. The teams who register for a given elimination, at first, will have to appear for a Researchers' test based on the particular Moot's proposition followed by the oral rounds. The highest scoring team shall win the elimination and proceed with the Moot Court Competition.
- iv. The Researchers' Test shall comprise of **10** questions carrying **2** marks each and a **negative marking of – 0.5** marks for each wrong answer.
- v. The one-week prior notice requirement stated hereinabove is not absolute. The period may be reduced or increased in case of any unforeseen circumstances or circumstances beyond the control of the MCS. In case of any change in the Notice, after the Notice has been circulated, the MCS shall inform the students through the official Website of the MCS / Students Portal / WhatsApp / Notice Board.
- vi. The draw of lots for the said Eliminations shall be conducted one day prior to the Eliminations.
- vii. The teams registering for the Eliminations shall, along with all the teammates, be present for the Eliminations.
- viii. For equitable opportunity of selection of the best team composition, in relation to the Eliminations, all the team members have to speak and the highest scorers amongst the team will be sent as the speakers among the team.
- ix. Rule 2B, Clause (viii) of the MCS Rules and Regulation, 2021-2022 is not applicable in case of a Trial Competition. In the case of trial competitions, teams shall decide roles of their teammates prior to the registration.
- x. For checking the capability and the composition of the team with respect to the Speakers and the Researcher, Ex-parte Eliminations will be conducted in case there is only one team vying for the Moot Court / Trial Competition.

- xi.** In case if a team or student wishes to represent the college in a certain Moot Court Competition which is not been published by the Moot Court Society to be allocated through Intra List, shall write an E-mail to the Moot Court Society at mcs.svkm@gmail.com showing interest to go for that particular Moot Court Competition.

On receiving provisional registration from the host college the Moot Court Competition shall be allotted through Elimination procedure as mentioned in Rule 2B of the MCS Rules and Regulations, 2021-2022.

- xii.** The list of Moots / Trials subjected to Eliminations shall be informed from time to time by the MCS.
- xiii.** The Eliminations shall be subject to an expert in the particular subject of the Moot / an alumni (as per the availability) / *the Faculty-In-Charge*.
- xiv.** If any mentor / additional researcher / team manager is required to assist the team, the MCS shall arrange the same, provided the team approaches the MCS in not less than 7 days prior to the Competition.

3. INTERNATIONAL MOOT COURT COMPETITION:

- a.** Any team or any student interested in representing the College in an International Moot Court Competition must intimate the MCS by sending an email regarding the details of the competition.
- b.** Elimination of the same shall be conducted as per Rule 2B of the MCS Rules and Regulation, 2021-2022.
- c.** In case of any clash with respect to College Examinations / Mumbai University Examinations the team may not be permitted to participate. The discretion is reserved by the *Faculty-In-Charge*.

4. RESTRICTION ON PARTICIPATING IN ANY MOOT:

- a. No student shall be allotted a Moot Court Competition until a **30-day** period has expired from the completion of the previous moot court / trial competition in which the student had participated. The student shall also be restricted from participating in any Elimination Rounds of a Moot Court Competition or a Trial Competition.

*In the circumstance where a team in any given moot / trial qualifies to the Semi Final Rounds, shall be eligible to participate in any elimination for a trial / moot court competition after **20 days** from the last date of such competition in which the team has qualified.*

Explanation: The exception in the provision of Rule 4(a) is only to the team as a whole and not to its members individually.

- b. No student shall be permitted to participate in any Elimination Round whilst participating in an ongoing moot. Penalties shall be imposed on any student / team who withdraws his / her / their participation from an allotted and accepted moot to participate in any elimination. There will be an assessment hearing to decide the penalties.
- c. No ban shall be imposed on the members of the Moot Court Society from participating in any Elimination by virtue of their membership to the Moot Court Society during their tenure.
- d. No Moot Court Competition shall be allotted prior to the Examinations.
- e. No student / team can participate in any Moot Court Competition using the name of Pravin Gandhi College of Law without the prior approval from the *Faculty-In-Charge* and the MCS. Strict action will be taken against the student / team(s) who fail to comply with the same.
- f. The MCS reserves absolute discretion from restricting a team to participate in any Moot Court Competition, if the Committee upon the suggestion of the Judge / Mentor is of the opinion and has reason to believe that the preparation of the Team is unsatisfactory.

5. POST- ACCEPTANCE OF MOOT ACTIVITIES:

- a. Once the moot is accepted by the student / team, the student / team is solely responsible for completing the registration process with the host college as well as submitting the Consent Form to the College within a period of three working days from the date of the Moot allotted to the students.
- b. The research, final draft of the memorials and oral presentation shall be assessed and approved by the Mentor and / or *Faculty-In-Charge*. In addition, the participating team is required to give a demo-hearing of their arguments advanced to the *Chairperson(s)* / or to any person upon the discretion of the *Chairperson(s)* of the MCS, not less than 7 days before the commencement of the Competition.
- c. The participants are expected to fill a Moot Feedback Form which shall be attached and submitted in the college office / to the MCS along with the reimbursement and attendance form within a period of **five working days** from returning back from the Moot Court Competition. The MCS shall not be responsible in case of any complications arising in the reimbursement and attendance due to delay on part of the team.
- d. The Post – Acceptance of Moot Activities shall be supervised by the MCS.

6. GRIEVANCE REDRESSAL FORUM:

- a. Any Grievances about the allotment of moots / any team member or any other issue related to the moot / trial shall be addressed to the MCS via email at mcs.svkm@gmail.com.
- b. In case of any Grievances regarding the conduct of any team member or matters regarding their replacement, an assessment hearing shall be conducted. The aggrieved member is required to make an application to the MCS by e-mail.
- c. The Committee shall reserve the time for at least one week to respond to the said Grievances.

- d. In case a student has withdrawn himself / herself from a moot or wishes to do so, he / she shall at the earliest possible occasion present themselves for a hearing conducted by the MCS, for assessing the authenticity and validity of the reason for such withdrawal.
- e. The assessment hearing shall be conducted in the presence of the complainant by the *Chairperson(s)* and any other member at the discretion of the *Chairperson(s)*. The minutes of the said hearing shall be duly recorded.
- f. Any grievances regarding the functioning of the MCS shall be addressed to the *Faculty-In-Charge* of the Committee.
- g. An assessment hearing shall take place for the same in presence of the parties by the *Faculty-In-Charge* and the minutes of the said hearing shall be recorded.
- h. The MCS will provide a replacement to the particular team whose team member has backed out for a particular Moot Court Competition only after the team intimates the MCS regarding the same via an email at mcs.svkm@gmail.com The replaced member will be from the Intra List / College moot list depending upon the availability of the students and the time-frame of the withdrawal for which the replacement has to be arranged.
- i. For any kind of Grievance Redressal an assessment hearing will be conducted.

7. REIMBURSEMENT FOR EXPENSES INCURRED IN THE COURSE OF THE COMPETITION:

- a. In order to claim reimbursement, students / teams are expected to submit the bills / tickets / receipts of the costs incurred along with the Reimbursement form to the MCS within a period of **five working days** from returning back from the Moot Court Competition.
- b. Reasonable expenses are decided by the SVKM Trust and the College Office. The MCS has no discretion or authority over the reimbursement amount.

8. PENALTY:

- a. Students withdrawing themselves from a Moot or Eliminations (after the draw of lots) shall be deprived from participating in any moot / elimination for a period of **90 days**.
- b. Students withdrawing themselves from the Intra Moot Court Competition organized by the MCS shall also be deprived from participating in any moot / elimination for a period of **90 days**.
- c. Students withdrawing themselves from a Moot Court Competition 10 days before or less than the commencement of the particular Competition shall also be deprived from participating in any moot / elimination for a period of **180 days**.
- d. In case of withdrawal of the participation by one of the *members of the team from elimination*, other member / members shall address the same to the MCS in written submission or via mail at mcs.svkm@gmail.com and the entire team would be subject to disqualification for that specific Moot Court Competition. *This is specific to the elimination rounds only.*
- e. No person shall be deprived from participating in any moot / elimination without the procedure of an assessment hearing taking place been followed except for Rule 8(d).
- f. Students participating in any Moot Court Competition or Trial Competition, without informing the MCS shall be deprived from participating in any moot / elimination/ trial for a period of **180 days**.
- g. Students participating in any Moot Court / Trial Competition under the “**disguise**” of “**Mumbai University**” shall also be deprived from participating in any moot / elimination/ trial for a period of **180 days**.

9. APPEAL:

Any appeal to be made by the aggrieved party whose assessment hearing is conducted by the MCS, can be made to the *Faculty-In-charge* and his / her decision would be final and binding.

THE MOOT COURT SOCIETY PANDEMIC RULES AND REGULATIONS, 2021-2022

1. **APPLICABILITY:**

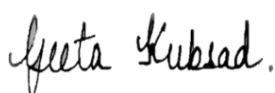
These Rules have been formed in light of the currently prevailing pandemic situation. These Rules shall remain in force till further notice from the MCS.

2. **NOTICES:**

Notices pertaining to intimation of various Moot Court Competitions shall be communicated by the respected Class Representatives (“CR”) through WhatsApp / the Student Portal and a Google link will be provided for registering purposes so that the time is recorded. **The MCS shall not bear any responsibility in case the CR fails to circulate the message in time.**

NOTE:

1. The ***Faculty-In-Charge*** on the recommendation of the MCS can amend or repeal any of the above rules as per the needs and circumstances.



Dr. Geeta Kubsad

Faculty-in-Charge



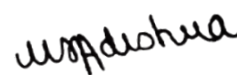
Nitisha Makharia

Chairperson



Amit Padwal

Ad. Chairperson



Manasi Adeshra

Ad. Chairperson