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Ms. Sugana Mitharwal
Ms. Vaidehi Pareek
Ms. Komal Shrivastava
Mr. Vishva Jeet Bhookar

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INSTITUTE OF MANAGEMENT

Affiliated to DAVV and Approved by MP Higher Education & AICTE, New Delhi

Host: **INDORE INSTITUTE OF LAW, Indore**



INDORE NURSING COLLEGE

Recognized by Indian Nursing Council, New Delhi & Madhya Pradesh Nurses Registrations Council, Bhopal (M.P.)
Madhya Pradesh Medical Science University, Jabalpur (M.P.)

Venue: Indore Institute of Law, Gendalal Bam Parisar,
Opp. IIM, Rau-Pithampur Road, Village Dehri,
Rangwasa, Indore - 453331 (MP)



INDORE INSTITUTE OF LAW SM

(Affiliated to D.A.V.V. & Bar Council of India, New Delhi)



Smt. Nirmala Devi Bam
Memorial International

MOOT COURT COMPETITION

Chapter IV

13th-15th May 2022





Indore Institute of Law was established in the year 2003 with the vision of bringing intellectual awakening and all round development of our country through education in the field of law. In short span of time the institute has created a history of being the only institute in private sector to offer all Law Courses i.e. B. A. LL. B (Hons.), B.B.A. LL. B(Hons.), LL. B.(Hons.) & LL. M. under one roof and has started a new course B.B.A.LL.B (Hons.) Transnational & Global Studies with the aim to provide global exposure of both education and industry. The institution has always prioritized the overall development of the students. It is well reflected in the academic growth of IIL along with the promotion and participation in the extra-curricular activities. IIL is glad to share the academic excellence of the college which is authenticated by our students who bagged top 38 universities out of 40. Further to hone the skill, IIL in association with Enhelion Indian Pvt. Ltd. Provide the students with 5 Diploma Courses in 5 year Law course.

The advent of ICON EDUCATION SOCIETY in the year 2003 was a small step towards this direction. The Society started with a small Law College for Youngsters, it has today emerged as a stronger body embedded with a Galaxy of 3 Institutes of high repute, christened together as Indore Institute of Law, Idyllic Institute of Management, Indore Nursing College Group of Institutions and spread in 8 Acres campuses around Indore City. In this competitive and dynamic environment, the Law and Management education needs to prepare students, who will be our future Lawyers and Managers, with a new perspective on the emerging issues in Law and Management. Based on the strong foundation of Ethics, Positivism, Passion and Excellence. IIL is destined to prepare its students intellectually to stand up, speak out and achieve in all walks of life in the competitive world. ICON Education Society dedicates this outcome to the young aspiring students of the country and presents the concise version to them.



ACCOLADES

Ranked among the best law colleges in Central India, Indore Institute of Law is one of the Best Law college of India and is **ranked 1st in private law colleges of MP/CG/Rajasthan by India Today, Outlook and The Week**. IIL has been awarded **The Best Private Law College of Madhya Pradesh and Chhattisgarh in 2015 and 2016** and is also conferred **'The Excellence in Indian - 2017'**. IIL is recognized by the Bar Council of India, New Delhi and has been awarded **'The Best Educational Building of Central India'** by **Dainik Bhaskar and Ernst & Young** in the year 2012 and 2013 consecutively. The

'Animal Moot Court' organized at IIL on World Environment Day June 5, 2016 won accolades in "The Golden Book of World Records, USA" with 171 students participating in the event. The institute has signed MOUs for the internships with the top corporate firms and has impressive list of in-house publications. Elevating the level of education to the international level, visits of students have been facilitated on a regular basis to The International Court of Justice and the International Criminal Court, Hague, Netherlands.



MESSAGES FROM PATRONS



There are so many people who have great talents, but do not seem to use it. Many times you will be able to easily triumph over those who are gifted but unwilling to work hard enough to cope with your efforts. Hard work and a good dose of determination can lead you anywhere, even if you are not the most talented in this area. Think about all those super talents in your preferred area of law. Only those talents who are willing to make an extra effort will be able to succeed. Otherwise, less talented people will outperform them with their boundless willingness to do extraordinary work.

Mr. Kantilal Bam
Chairman, Icon Education Society

Since its inception Indore Institute of Law has been committed to impart value based standard legal education. Every year IIL conducts various flagship competitions for promotion of the quintessential practical skills for students of Law. As the Chairman of the Institution, I am delighted to invite all the young minds with extra ordinary talent to be part of the 4th Smt. Nirmala Devi Bam Memorial International Moot Court Competition, 2022. We are looking forward to the battle of wits and find a new champion of this competition."

Dr. Akshay Kanti Bam,
Chairman, Indore Institute of Law



In its 4th edition of the Flagship competition, Indore Institute of Law is looking forward to host the best teams of the nation for the international moot court competition, for me it is an honor and a pleasure to invite your esteemed institution to the Flagship Competition on behalf of the Organizing Committee, of IIL take great pride in welcoming all the participants to the IV Smt. Nirmala Devi Bam Memorial International Moot Court Competition 2022, from 13th May – 15th May, 2022.

Dr. Manpreet Kaur Rajpal
Director & Dean, Indore Institute of Law



The main business of a lawyer is to take the romance, the mystery, the irony, the ambiguity out of everything he touches. If you want pinnacle of success in legal profession then you have to live like a hermit and work like a horse. We look forward to your kind presence in the IV Smt. Nirmala Devi Bam Memorial International Moot Court Competition from 2022, from 13th May – 15th May, 2022.

Dr. Vinod Patidar
Principal, Indore Institute of Law



Hammurabi & Solomon Partners was founded in the early 2001 under the strong leadership of Dr. Manoj Kumar, trailing from a family of reputed law makers and practitioners. Ranked amongst the top #15 law firms in India, their journey has been marked by stellar growth and recognition over the past 2 decades with over 16 partners handpicked from the top of their fields. Paving their way into the Indian legal landscape they believe in providing complete client satisfaction with a result driven approach.



LedX- Legal Education by Experts is a dedicated legal online learning platform, changing the way legal education is taught, delivered, and utilized. Our expertise across the vast courses and sectors covers varied and nuanced needs with a constantly evolving legal, regulatory, and business environment. LedX is harnessing legal education through app-based learning, online professionals, and student community and course delivery beyond the traditional education system through a single platform, making legal education easily accessible worldwide. We are creating an ecosystem of Instructors, legal experts, working professionals who have deep knowledge and understating of law, content, and learners under one roof. We act as a tutor and guide to assist them in fulfilling their goals. We strive for excellence with each course. Students can access their courses virtually and from any location. Our online training programs are catered to individuals where we offer personalized, practical, and industry-based learning by expert mentors. With over 50 courses, 250 hours of content, 400 legal experts on board, 150 influencers, Live Classes, Innovative legal competitions, we are making sure of leaving no stone unturned for our student & growth and development in the professional environment. This platform is an output of research and consultation conducted by Think-Tanks and pioneers of legal education aiming to impart legal education in every nook and corner of the country, regardless of geography, Institutional affiliations, or professional obligations; an opportunity to become professional qualifications.

Invitation

To,
The Vice Chancellor/ Director/ Dean/ Head/ Principal,

Subject: Invitation for the IV Smt. Nirmala Devi Bam Memorial International Moot Court Competition organized by the Indore Institute of Law, Indore.

Dear Madam/Sir,
Greetings of the Day!

In the 19th year of its inception, Indore Institute of Law is pleased to announce the IV Smt. Nirmala Devi Bam Memorial International Moot Court Competition, from 13th May – 15th May, 2022. The organizing committee on behalf of Indore Institute of Law would accept the honor and privilege to invite and host the fledgling lawyers to glorify and embellish the event.

On behalf of the Institute, we would like to invite your acclaimed institution to participate in this enriching experience. Indore Institute of Law after the resplendent success of incessant 'ten' Chapters of Lex Bonanza has now initiated the IV flagship Competition in Moot Court.

As a leading institution of this country, we endeavor to provide the budding lawyers, the best possible exposure in terms of practical experience, and we believe that by organizing such academics events, we strive to achieve that aim.

It gives us immense pleasure to extend our heartfelt invite to your esteemed institution to participate and make this event a grand success. This event incites to provide a platform to the students and faculty of law to sharpen their minds and showcase their legal knowledge.

We expect your response and look forward for an opportunity to welcome your team at Indore Institute of Law, Indore.

Warm regards,

Prof (Dr.) Manpreet Kaur Rajpal
Director & Dean Academics
Indore Institute of Law, Indore



SMT. NIRMALA DEVI BAM MEMORIAL INTERNATIONAL MOOT COURT COMPETITION

Nirmala Devi Bam Memorial International Moot Court Competition is a flagship competition of Indore Institute of Law. This competition was started from 2019 in the loving memory of Mrs. Nirmala Devi Bam (beloved mother of Mr. Akshay Kanti Bam, Chairman Indore Institute of Law) After the successful completion of III Smt. Nirmala Devi Bam Memorial National Moot Court Competition 2021, this was organized from 28th to 30th May 2021. The three day competition was blessed by the presence of eminent luminaries Dr. Sanjeevani Shanthakumar (Director GNLU), in the opening ceremony and Hon'ble Justice M.R Shah Judge Supreme Court of India, Dr. Sahdev Singh (Secretary, Department of Justice, Govt. of India, Ministry of Law and Justice and Ministry of Home Affairs) in the Closing Ceremony. We were honored to have 41 registered teams from various Law Schools and Universities who marked their presence in the battle of eloquence, advocacy and mooting skills. The Symbiosis Law School, Hyderabad emerged as the winner of the competition and the runner up was Christ University, Bangalore, The preliminary and the semi-final rounds were judged by the panel of judges from various law firms, Universities and Government department. The Judges were associated with Khaitan & Co., Fox Mandal, Hammurabi & Solomon Partners, Kansal Law Chambers, J. Sagar Associates, Singhania & Co. LLP, Integricon Law Offices, SSRANA & Co., Link Legal, Lexicon Law Partners, Kochhar & Co., J. Sagar Associates, Wadia Ghandy & Co., Tatva Legal, Delhi High Court, Shardul Amarchand Mangaldas & Co., M Mulla Associates, Kanga & Co, Law offices of A. Anand, The Law Point.

The Final round was judged by the Mr. Anchit Oswal, Partner, Khaitan & Co., Prashantha Kumar Partner, Fox Mandal & Shantanu Malik, Partner Hammurabi & Solomon.

GLIMPSES OF LAST 3 CHAPTERS

Glimpses of chapter 01



Glimpses of chapter 02



Glimpses of chapter 03



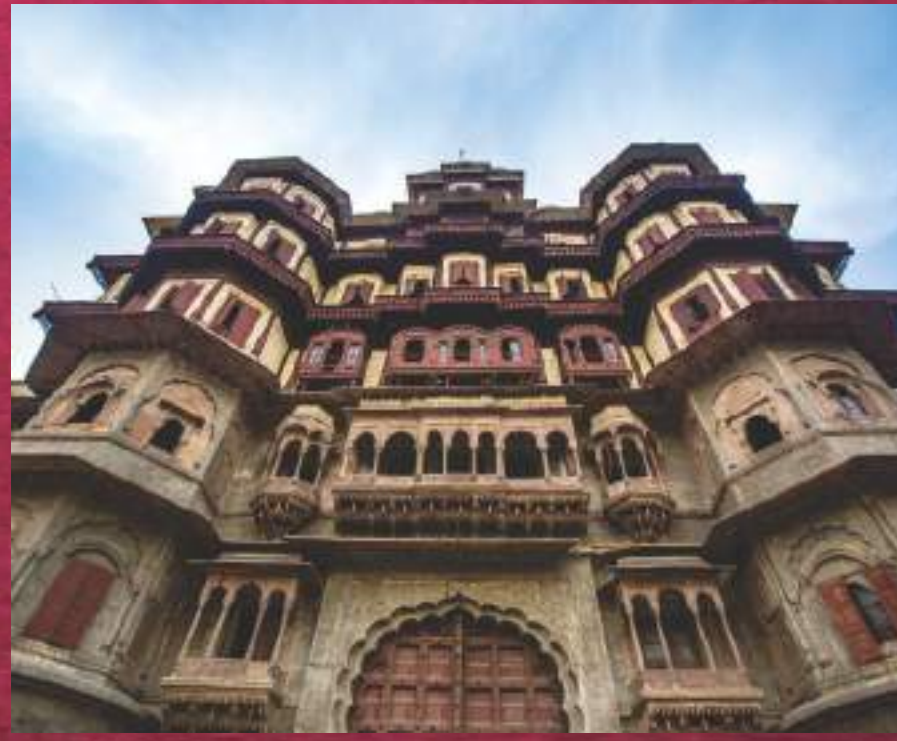
ABOUT INDORE ▶

Geography

Indore is located in the western region of Madhya Pradesh (approx.76o E, 23o N), on the southern edge of the Malwa plateau, on the Saraswati and Khan rivers, which are tributaries of the Shipra River. Indore has an average elevation of 553 meter above mean sea level. It is located on an elevated plain, with the Vindhya range to the south. Two main rivers are Chambal at the west (which originates from Vindhya Range South of Mhow) and Kshipra, a tributary of Chambal at the east. Other small rivers include Gambhir and Khan, two tributaries of Kshipra.

Places to Visit in Indore

- Rajwada
- Lalbagh Palace
- Khajrana Ganesh Temple
- Sarafa Market
- Central Museum of Indore
- Patalpani Waterfall
- Annapurna Temple
- Ralamandal Wildlife Sanctuary
- Chappan Dukaan
- Choral Dam



INDEX ▶

MOOT PROPOSITION	01
RULES AND REGULATIONS	05
COMPETITION FORMAT	07
MEMORANDUM SPECIFICATIONS	08
EVALUATION METHOD	10
AWARDS	11
REGISTRATION PROCESS	11 - 12
IMPORTANT DATES	12
GENERAL GUIDELINES	12
ORGANIZING COMMITTEE	Back

MOOT PROPOSITION

1. The Democratic Republic of Downton (hereinafter referred to as Downton) is a multi-racial, multi-lingual, multi-cultural and multi-religious Quasi-federal democratic state. Downton's laws are in Pari Materia with that of India. Within Downton there is a mineral rich and progressive state of Seople. The State of Seople is very actively and efficiently using its resources to develop its economy and flourish the trade sector.
2. In the State of Seople, SeopleUrjaVikas Nigam Limited (SUVNL) issued a public notice on 7th February 2019, inviting proposals for supply of power on long term basis under three different competitive bid processes. The participating bidders were to decide on the tariff and quote such tariff after competing against each other. The bidders were entitled to quote escalable or non-escalable tariff or partly escalable and partly non-escalable tariff, as was considered appropriate by them to cover their respective risks so as to obtain whatever returns are available to them. The best levelised tariff as per certain pre-disclosed criteria was to be followed in order to arrive at the lowest tender.
3. After the completion of procedural formalities and due compliances requests for proposal were issued and Paridhi Enterprises Consortium were declared the successful bidders by SUVNL for Quoting the non escalable tariff charge.
4. In the bid, the Consortium indicated that the lead member, Paridhi Enterprises, had an arrangement for indigenous coal requirement of the project with Seople Mineral Development Corporation, as the said corporation had been allotted a certain coal block in the State of Samastigarh (another state in Downton). Also, a Memorandum of Understanding was entered into between Paridhi Enterprises Ltd. and a German Company for supply of non-coking coal of 3 to 5 million tons (imported coal) on a long-term basis till the year 2032. A similar Memorandum of Understanding was also entered into between Paridhi Enterprises and a Japanese agent for supply of 3 to 5 million tons of coal again on a long-term basis. The two Memoranda of Understanding were attached to the bid submitted by Paridhi Enterprises. The decided Tariff was also accepted by the Central Electricity Regulatory commission of Downton (herein after referred as CERC), which was the primary regulatory body for the generation, transmission and distribution in Downton. As a result, the power purchase agreement was entered into, and made enforceable to full effect by both the parties.
5. An important part of the case is that a change in law in Truasia took place which aligned the export price of coal from Truasia to international market prices instead of the price that was prevalent for the last 40 years. As one of most important Source of Coal which in turn affected the production of Thermal Energy in Downton, this sudden and unanticipated hike in price drastically affected the Power Purchase Agreement terms.
6. This being the case, in both the cases, Paridhi Power filed a petition before the Central Electricity Regulatory Commission of Downton 5th July, 2019 relief on the score of the impact of the Truasian Regulation to either discharge them from the performance of the Purchase Power Agreement on account of frustration, or to evolve a mechanism to restore the Paridhi Enterprises to the same economic condition prior to occurrence of the change in law. This also raised the issue that

whether in terms of the power purchase agreement, it is the CERC of Downton or the State electricity Regulation Commission of Seople which had the jurisdiction in the matter.

7. The Central Commission passed an order, whereby the claim of Paridhi Power on the grounds of force majeure and/or change in law was held not to be admissible. However, the Commission held that in exercise of the regulatory powers, the Central Commission can provide redressal of grievances to generating companies, considering the larger public interest, and hence constituted a committee to look into the alleged difficulties faced by Paridhi Power. and to find an acceptable solution thereto. (This order was issued on 2nd April 2019)
8. On 16th August, 2019, pursuant to the order dated 2nd April, 2019, the Committee constituted by the Commission submitted a report. Based on the Committee's report, on 21st February, 2020, the Central Commission proceeded to grant compensatory tariff. Appeals and cross-appeals were filed against this order, including cross objections. On 1st August, 2020, cross-objection filed by Paridhi Power was rejected by the Appellate Tribunal as not maintainable. On 31st October, 2020, the Appellate Tribunal rejected the prayer for condonation of delay and consequently Appeal was filed by Paridhi Power. Against this order, Paridhi Power filed an appeal before the Supreme Court of Downton.
9. Finally, the Appellate Tribunal on 7th April, 2021, passed the impugned judgment in all the aforesaid cases :

The Tribunal held, agreeing with the Commission, that generation and sale of power by Paridhi Power to SUVNL was a composite scheme within the meaning of the Electricity Act and that, therefore, the Central Commission would have jurisdiction to proceed further in the matter. The Appellate felt that the argument of force majeure and change in law could be gone into by it.

It ultimately concluded, having regard to the law on frustration contained in the Indian Contract Act, 1872 and the relevant provisions of the PPAs, that force majeure was made out on the facts of these cases and reversed the Commission on this score.

It also reversed the Commission on exercise of regulatory powers under the relevant section of the Electricity Act, stating that these powers could not be exercised once there was a PPA entered into under the relevant section of the relevant Act. It also held that change in law provisions do not apply to foreign law and, therefore, changes in Truasian law did not come within the scope of the provisions. Insofar as changes in Indian law were concerned, it held that the Government Policies that were relied upon, do not constitute 'law'. Accordingly, the matter was remanded to the CERC to find out the impact of the force majeure event to grant compensatory tariff.

10. Paridhi Enterprises was aggrieved by the impugned order and appealed against the same, the appeal also highlighted the unsatisfactory provision of compensatory tax and created the issue of whether CERC can provide for the compensatory tariff as per its own discretion.

Note: Apart from the issues clearly highlighted in the Moot Problem, the participants also have to address the issues which can arise from the impugned order of the Appellate Tribunal.

ANNEXURE 1

Relevant Clauses of the Power Purchase Agreement

CHANGE IN LAW

Definitions In this Clause 13 of PPA, the following terms shall have the following meanings: "Change in Law" means the occurrence of any of the following events after the date, which is seven (7) days prior to the Bid Deadline:

- (i) the enactment, bringing into effect, adoption, promulgation, amendment, modification or repeal, of any Law or (ii) a change in interpretation of any Law by a competent Court of law, tribunal or Indian Governmental Instrumentality provided such Court of law, tribunal or Indian Governmental Instrumentality is final authority under law for such interpretation or (iii) change in any consents, approvals or licenses available or obtained for the Project, otherwise than for default of the Seller, which results in any change in any cost of or revenue from the business of selling electricity by the Seller to the Procurers under the terms of this Agreement, or (iv) any change in the (a) Declared value of Land for the Project or (b) the cost of implementation of resettlement and rehabilitation package of the land for the Project mentioned in the RFP or
- (c) the cost of implementing Environmental Management Plan for the Power Station mentioned in the RFP, indicated under the RFP and the PPA; but shall not include (i) any change in any withholding tax on income or dividends distributed to the shareholders of the Seller, or (ii) change in respect of UI Charges or frequency intervals by an Appropriate Commission. Provided that if Government of India does not extend the income tax holiday for power generation projects under Section 80 IA of the Income Tax Act, upto the Scheduled Commercial Operation Date of the Power Station, such non- extension shall be deemed to be a Change in Law.

Force Majeure

'Force Majeure' means any event or circumstance or combination of events and circumstances including those stated below that wholly or partly prevents or unavoidably delays an Affected Party in the performance of its obligations under this Agreement, but only if and to the extent that such events or circumstances are not within the reasonable control, directly or indirectly, of the Affected Party and could not have been avoided if the Affected Party had taken reasonable care or complied with Prudent Utility Practices:

I) Natural Force Majeure Events:

Act of God, including, but not limited to lightning, drought, fire and explosion (to the extent originating from a source external to the Site), earthquake, volcanic eruption, landslide, food, cyclone, typhoon, tornado, or exceptionally adverse weather conditions which are in excess of the statistical measures for the last hundred (100) years, ii. Non-Natural Force Majeure Events:

ii) Direct Non-Natural Force Majeure Events:

Nationalization or compulsory acquisition by any Indian Government Instrumentality or any material assets or rights of the Seller or the Seller's contractors; or The unlawful, unreasonable or discriminatory revocation of, or refusal to renew, any Consent required by the Seller or any of the Seller's contractors to perform their obligations under the Project Documents or any unlawful, unreasonable or discriminatory refusal to grant any other consent required for the development/ operation of the Project, provided that an appropriate court of law declares the revocation or refusal to be unlawful, unreasonable and discriminatory and strikes the same down; or Any other unlawful, unreasonable or discriminatory action on the part of an Indian Government Instrumentality which is directed against the Project, provided that an appropriate court of law declares the revocation or refusal to be unlawful, unreasonable and discriminatory and strikes the same down.



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iii) Indirect Non – Natural Force Majeure Events:

Any act of war (whether declared or undeclared), invasion, armed conflict or act of foreign enemy, blockade, embargo, revolution, riot, insurrection, terrorist or military action; or Radioactive contamination or ionising radiation originating from a source in India or resulting from another Indirect Non Natural Force Majeure Event excluding circumstances where the source or cause of contamination or radiation is brought or has been brought into or near the site by the affected party or those employed or engaged by the affected party; or Industry wide strikes and labour disturbances having a nationwide impact in India.

RULES & REGULATIONS

These rules shall be the official rules for Moot Court Competition to be held on 13th, 14th and 15th of May 2022 at Indore Institute of Law. All the participating teams must strictly adhere to these rules in every circumstance.

1. Competition committee and forum

- Moot Court Society and Legal Aid society will be the Competition committee for the purpose of this competition.
- In case of any dispute or difficulty arising out of or during the course of the competition, the Competition Committee shall have the sole and absolute authority to remove such difficulty and resolve the dispute.
- The Competition committee's decision as regards the interpretation of these rules or any other matters related to the Moot Court competition shall be final and binding. If there is any situation, which is not covered by these rules, the decision of the Competition committee shall be final.
- The Competition committee reserves the right to amend, modify or repeal any of the rules if so required and as they deem appropriate. Participating teams shall receive adequate notice of any/all such amendments or modifications to the rules.
- The Competition committee shall not be held responsible for any loss or non-delivery of the Memorials.

2. Interpretation clause & Eligibility

- The following terms shall have the corresponding meanings unless otherwise specified:
- Bench Memorandum' means the memorandum of Laws and authorities concerning the Problem.
- Compendium' means the Compiled Research Material.
- Competition Rules' means the Official Rules and Regulations of the Competition as amended from time to time.
- I.S.T.' means Indian Standard Time.
- Memorials' means the Written Submissions of a team, submitted pursuant to these rules.
- Moot Court Society' for the purpose of this Moot Court Competition means the Committee as for the administration and conduct of the Competition, including any other authorized person, and of all events leading to the Competition.
- Oral Pleading' means the pleading before a Panel as explained under "Evaluation Criteria for Written Submission".
- Panel' mean the Adjudicators of an Oral Pleading Session collectively.
- Participant' means any member of the Participating Team.
- Penalty' means the consequence of a rule violation, whether disqualification or the deduction of points.
- Petitioner' means the side of the Team which argues on behalf of the Applicant at any given point in the Competition.
- Rebuttals' refer to the set of Arguments/challenges that the Applicant shall raise at the end of the main pleadings of all the Orators. This shall be replied to in the appropriate manner by the Respondent.
- Researcher' means that member of the Team who is not a Speaker.
- Respondent' means the side of the Team which argues on behalf of the Respondent at any given point in the Competition.

- Speaker' means the designated speaker of the Team.
- Team Code' means the code allocated to a Team at the time of registration.

Eligibility

Students enrolled in a full-time or part-time law programme at the time of the competition are eligible to compete in the Competition. Each College/Law School or University may enter one team ONLY.

3. Team composition

- A team consisting of three members that satisfies the eligibility Criteria can participate.
- Each team shall comprise of two speakers and one Researcher.
- Only the speakers are allowed to present and argue. The researcher will not be given a chance to speak unless specifically allowed by the Judges. However, he/she can pass on the hand written notes to the Speakers with the permission of the Judges.
- No team member may be replaced after the team's memorial has been received by the Competition Committee, except with the express written consent of the Competition Committee, which will require a showing of good cause.

4. Dress Code

Formal wear

Ladies: Black and white salwar, kurta, sari or pant/suit or Western formals

Gentlemen: White shirt with black tie, black trousers, black coat, white socks and black shoes.



5. Competition Format

- The competition shall be of four rounds namely Preliminary, Quarter-final, Semi-Finals and Final rounds.
- Following shall be the rules for **Oral Presentation** in each round.

5.1. Preliminary rounds

- There shall be two Preliminary rounds each team shall argue for both sides.
- Matching of each team shall be done by the Draw of Lots
- Each team will be allotted **20 minutes for the arguments including time for Rebuttal and Sur-rebuttal.**
- The division of time is at the discretion of the team members.
- The division of time must be communicated to the court clerks before commencing arguments.
- If any speaker continues to speak after the completion of the allocated time, the additional time which he or she speak for will be deducted from the time allocated to his or her co-speaker there will be a deduction of marks on per extra minute taken, as the case may be. However, no speaker shall be allowed to present his arguments beyond the maximum time.
- Each speaker must introduce himself or herself to the court using only his identification code and team code given to him/her at the time of memorial submission.
- A team shall be credited with a win in the Preliminary Rounds if their **Round Total** is greater than the opposing team.
- Teams with two wins will qualify for Quarter-Final. In case there are more than eight teams with two wins, round total will be used to decide the top eight.
- In case of tie still the scores allotted in **Understanding of Law and Procedure** will be added to decide the winner.

5.2. Quarter-final & Semi-Final rounds

- Total of eight teams from the preliminary round will qualify for the Quarter-Final round and then four teams to the semi-final round.
- Matching of each team shall be done by the Draw of Lots.
- Each team will be allotted **30 minutes for the arguments including time for Rebuttal and Sur-rebuttal.**
- The Quarter- final & Semi-Final Round will consist of One (1) Mooting Session and will also be a “Knock out” Round where the winner of each quarter-final will move to Semi-Final Round and then advance to the Final Round.
- A team shall be credited with a win in the Quarter- final & Semi-Final Round if their **Round Total** is greater than the opposing team.
- In case of tie in Semi-Final Round pairing, total scores allotted in **Understanding of Law and Procedure** will be considered to decide the winner.

5.3. Final

- Winners of each Semi-Final round will qualify for the final round.
- Each team will be allotted **45 minutes for the arguments including time for Rebuttal and Sur-rebuttal.**

5.4. Ex-parte proceeding

At the outset, if a **team fails to appear within 15 minutes** of the scheduled time (in any of the four rounds) then the oral round of the attending party may proceed **Ex-parte**.

6. Memorandum Specifications

- Each participating team shall prepare **both memorials and counter memorials, in English**. All teams are to submit their copies to organizers in hard copy to the organizers before the deadline specified by the organizing committee. Failure to do so will result in disqualification from the competition.
- Memorials from each side should not contain more than **25 pages (which constitutes summary of facts & arguments, arguments advanced and prayer)**.
- The memorial must be typed and double-spaced. A team does not violate the double-spacing requirement by including written material properly that is single spaced, such as a block quote.
- The memorial shall consist of following:
 - i. Cover Page
 - ii. Table of Contents
 - iii. Index of Authorities
 - iv. Statement of Jurisdiction
 - v. Summary of Issues raised/questions presented
 - vi. Summary of Arguments/Pleadings (1or 3 Page)
 - vii. Arguments Advanced/Pleadings [not more than 20 pages
 - viii. Prayer for Relief (1 Page)
 - ix. Annexure (optional)
- The following sections **DO NOT** count toward the word limit:
 - i. Front and back cover pages
 - ii. Table of contents
 - iii. Index of authority
 - iv. Statement of jurisdiction
 - v. Summary of facts
 - vi. Questions presented
 - vii. Signature block
 - viii. Appropriate appendices
- All citations must adhere to Blue Book 20th Edition and fulfill the following requirements :-

Font type : Times New Roman

Foot notes Font type : Times New Roman

Font size : 12

Foot notes Font : 10

**Memorials that do not follow the above mentioned specifications shall be penalized.

- Memorial cover page shall follow the following Color Scheme:
Petitioner/Appellants: Blue
Respondent: Red

6.1. Service of memorial

- All the participants must submit **EIGHT (8)** copies of the Memorial for **both sides**.
- The soft copy of the memorial shall also be sent through e-mail on *nbscmootcourt2022@gmail.com* latest by **1st of May 2022, before 5:00 pm**.
- The memorial should be sent as an email attachment in Word format. **Do not send the memorial as a PDF-file**.
- Subject of the email shall **"Memorial for "team code"**. Please name the memorial using your team's Code and "P" for Petitioner or "R" for Respondent. For example, if you are assigned team number NBMC55 the file name should be **NBMC55P.doc** or **NBMC55R.doc**.
- The submission of hard copies should be done latest by **4th of MAY** at Indore Institute of Law, Campus **before 5:00 pm**.
- All the participants are required to e-mail the scanned copy of the transit receipt and in case of any mishaps happening during the transit the organizing committee won't be responsible.
- Memorials that arrive after the deadline may receive a deduction for being submitted late.

6.2. Anonymity

- Each team will be awarded a code number after registration and that number alone shall be marked on the memorials.
- Identity of the team or the names of the participants must not be revealed in the Memorial in any manner whatsoever and all teams must send the Memorial with a covering letter specifying the name and contact details of the Team Members and their designated Team Code.
- Name of the school/University shall not be mentioned on any compendium or material to be presented the bench. Failure to compliance will lead to disqualification of such compendium or material from presentation.

7. Evaluation Method

Following schematics will be followed in the competition for the scoring of the teams.

7.1. Evaluation of oral arguments

Each speaker shall be marked on total of 100 marks by each Judge. The following will be the Marking Criteria and the Marks Allocated to each category:

S. No.	Marking Criteria	Marks Allocated
1	Understanding of Law and Procedure	30
2	Application of Facts	20
3	Ingenuity and Ability to Answer Questions	15
4	Use of Authority	5
5	Organization and Flow of Arguments	10
6	Reference to Memorials	10
7	Advocacy Skills, Court Craft and Demeanor	10
Total		100

**Marks allotted by the judges shall be final.

7.2. Evaluation of Memorial

The following will be the Marking Criteria and the Marks Allocated to each category:

S. No.	Marking Criteria	Marks Allocated
1.	Knowledge of Law and Extent of Research	30
2.	Proper & Articulate Analysis, Clarity & Organization	25
3.	Knowledge of Facts	25
4.	Evidence of Original Thought	10
5.	Correct Format and Citation	10
Total		100

7.3. Researchers test

- The Researchers' test will be conducted on the day one of the competition
- The duration of the test will be of sixty minutes (60 minutes) only.
- The test shall consist of Objective/ Subjective question based on the Principles of laws applicable and the case study.



8. Awards

WINNING TEAM

Cash Prize of Trophy & Certificate **₹31000**

RUNNER UP TEAM

Cash Prize of Trophy & Certificate **₹21000**

SECOND RUNNER-UP

Cash Prize of Trophy & Certificate **₹11000**

BEST MOOTER

Cash Prize of Trophy & Certificate **₹5100**

BEST RESEARCHER

Cash Prize of Trophy & Certificate **₹5100**

BEST MEMORIAL

Cash Prize of Trophy & Certificate **₹5100**

PARTICIPATING TEAMS

Participating Certificates



**For Best Mooter award, the points scored from the preliminary rounds alone will be counted.

**Best Researcher will be decided on the basis of scores in Researchers' Test

**Best Memorial will be decided on the basis of score of memorials allotted in preliminary round

9. Registration Process (Step Plan)

The following steps have to be strictly followed by the respective teams interested to participate in the competition -

Registration Google form link is - <https://forms.gle/BtTQZDhMAthtBwDR6>

Submit the details via Google form by 1st May, 2022. For any query/ clarification, kindly mail at mootcourtsociety@iconeducation.co.in

Date	Amount
Registration before 10th April	₹1500
Registration before 10th April - 1st May	₹3000

NOTE- In order to avail the accommodation facility, the teams needs to pay a sum of Rs.3000 along with the registration fees.

PAYMENT DETAILS:
Teams are required to wire-transfer the registration. Fee/Amount to the details mentioned below:

Name: Indore Institute of Law
Account Number: 53001040267
IFSC Code: SBIN0030450
Bank: State Bank of India
Branch: Sch. No. 54, AB Road, Indore

10. Important dates

Participants are required to adhere with the deadlines. Following important dates shall be kept in mind:

Last date for Registration	1st May
Last date for seeking clarification	1st May
Last date for Submission of Memorial (electronic copy)	2nd May
Last date for submission of memorial (hard copy)	4th May
Draw of lots and Exchange of Memorials	12th May
Preliminary round 1 and Preliminary Round 2	13th May
Quarter-final & Semi-Final	14th May
Final	15th May

11. General Guideline

- All participants are expected to maintain the decorum in the court during the competition and are expected to conduct themselves in a manner befitting the legal profession.
- The Competition committee reserves the right, at its sole discretion, to take appropriate action for any unethical, unprofessional and wrongful conduct during the entire period of the Moot Court competition.
- Upon completion of the competition, the competition committee reserves the exclusive right to use the memorials submitted to them, as they deem appropriate.
- Participating teams should carry with them required study or reference materials for their own use during the oral rounds of competition.
- Team found attempting to approach and influencing Judges/ Administrators/ Organizers shall be disqualified.
- No member of any team will be permitted to hear the arguments in any court rooms in which that team is one of the contesting teams whilst that team is still in the competition.