

GEETA INSTITUTE OF LAW

(Approved by BCI & Affiliated to Kurukshetra University)

Karhans, G.T.Road, Panipat.

www.geetainstitutes.com

GIL Intra Moot Court Competition: Rules and Guidelines

1. The Moot court

The Geeta Institute of Law Moot Court Society is conducting Intra Moot Court Competition, with the principle objective of promoting better awareness of mooting among students of our college and prepare them for various national and international moot competitions.

2. Eligibility

All students from 2nd year onwards in BALLB, BBALLB and LLB courses are eligible for participation in the competition. Also, students pursuing their Masters (LLM) can participate.¹

3. Team Composition

Each team participating in the Competition shall consist of 2 members only.

4. Language, Dress code and Conduct

4.1 The official language of the competition shall be English.

4.2 The participants must adhere to standards of conduct and dress as high as those required of a lawyer engaged in practice of law in India, however, use of robes or collars is not required.

5. Registration

Teams may register themselves by sending an e-mail to mootcourtsociety@geeta.edu.in, comprising names of both the participants of the team and their respective classes. On successful registration, you will receive a confirmation mail and TEAM CODE.

The last date for registration is 10th August, 2019.

Teams allotted with Odd no. Code will prepare memorial from Petitioners side only and

Teams allotted with even no. code will prepare memorial from Defendants side only.

¹Students not participating in the Intra Moot Court Competition will be barred from participation in any national or International Moot Court Competition.

6. Memorials

6.1 Submission of memorials

Each participating team shall prepare memorial from the side allotted², in English. All teams are to submit their copies to the organizers before the deadline specified by the Moot court Society(MCS). Failure to do so will result in disqualification from the competition. Two copies of memorial from the side allotted, in paper (hard copy) shall be submitted to the MCS. During oral presentations, the participating teams should retain copies of their memorials for their personal use. The copies submitted to the organizing committee will not be returned to the participants under any circumstances. There will be exchange of memorials between the teams during the competition. All memorials shall be prepared to the following specifications:

- Memorial shall not be more than 15 typed pages.
- Memorials must be typed and submitted on standard A4 size paper.
- Font and size of the text of all parts of the memorial (excluding footnotes) must be the same and must be in Times New Roman 12 font size.
- The texts of all parts of each memorial must be double-spaced, with one inch margin on both sides.
- The text of footnotes³ and headings may be single-spaced. The font size of footnotes must be Times New Roman 10 font size..
- There must be double spacing between separate footnotes and between each heading and the body text of the memorial.
- The table of Contents, Index of Authorities and Case Title are not included in the 15 typed pages limit.
- Cover page of the Memorials: **Prosecution: Blue** and **Defence: Red**.

6.2 Description of the memorial

The Memorial shall consist of the following parts:

² Teams allotted with Odd no. Code will prepare memorial from Prosecution side only and Teams allotted with even no. code will prepare memorial from Defence side only.

³ A document of Bluebook citation format has been attached with this Notice.

- Table of Contents
- Index of Authorities (including corresponding page numbers)
- Statement of Jurisdiction
- Identification of Issues
- Statement of Facts
- Summary of Pleadings
- Pleadings including the Conclusion and/or Prayer for Relief.

7. Oral Rounds

- There will be only one round of orals in which teams will plead from their respective sides.⁴
- Each speaker shall plead for 10 minutes.
- 5 mins shall be allotted for rebuttals.
- Extension of time is the sole discretion of judges during the oral rounds.

8. Criteria for Assessment

The assessment of the teams during the Moot Court competition shall be out of a maximum of 100 marks, set out as follows:

- Written Memorials: 30 Marks
- Appreciation of Fact and Law: 15 Marks
- Advocacy (Arguments, Framing of Issues, expression and articulation): 30 Marks
- Use of Authorities and Citations: 15 Marks
- General Impression and Court Manner: 10 Marks
- The late submission of memorials will attract a penalty of 2 marks per hour being deducted from the total marks allocated for memorials.

9. Awards

Awards will be adjudged for the competition, as follows

- Winner
- Runner-up
- Best Male Advocate

⁴ Side allotted according to their team codes.

- Best Female Advocate
- Best memorial

10. Volunteers for organizing Intra-Moot Court Competition

All the 1st year students are eligible for becoming volunteers in organizing the moot court competition. This is a great opportunity for them to see how moots are done and shall help them next year when they are eligible to participate as mooters. Also, students who will actively participate as volunteers shall be given a chance to be a part of the Moot Court Society.

11. Schedule

- Last date for registration - 10th August 2019
- Last date for Memorial submission (soft copy) – 21st August 2019 (12:00pm).
- Last date for Memorial Submission (Hard Copy) - 22nd August, 2019
- Memorial Exchange – 28th August 2019
- Oral Rounds – 30th August 2019.

12. Clarification regarding Moot Proposition and rules

Doubts and Clarification regarding Moot Proposition and rules may be requested by sending an e-mail to the mootcourtsociety@geeta.edu.in

We are expecting robust participation from GILites.

REGARDS

Faculty in-charge(MCS)

Asst. Prof. Tanvi Pruthi

(tanvigil@geeta.edu.in)

Asst. Prof. Shubham Mehta.

(shubhamgil@geeta.edu.in)

MOOT PROPOSITION

The Republic of Scindia is an independent 'union of States'. It consists of 29 states and 7 union Territories. The diversity in cultural aspects like religion, language, traditions etc. is truly a remarkable feature. It got its independence from British Rule in 1947. The Country of Scindia is proud of the fact that they got their independence by non-violent revolution. Taking inspiration from the constitutions of the major democracies of the world, the Constitution of Scindia was wisely drafted by the members of its Constituent Assembly. Democracy, Equality and Secularism and is the essence of the Constitution. It encompasses the values of Human Dignity and Equality. It guarantees to its citizens certain fundamental rights - the scope of which is considerably enlarged by the dynamic judgments of the Supreme Court of Scindia. The constitution of India has unique feature of reservation also. Moreover, Scindia is a member of the U.N. and has vowed to abide by and implement the mandate of all International Human Rights instruments. Among the members of U.N, the image of India is that of a 'responsible State'.

Extending its policy of Reservation, in January 2019 the Government brought 103rd Amendment of the Constitution. The Constitutional (103rd Amendment) Act got the assent of President of Scindia on 13th January, 2019. The bill was passed in Lok Sabha by 323 members voting in favor and 3 members against the bill. It was subsequently passed by Rajya Sabha with 165 members in the favor and only 7 members against the bill. It provides reservation of jobs in central government, government educational institutions and also applicable for admissions to private higher educational institutions. It applies to citizens belonging to the economically weaker sections from the upper castes. This reservation is "*in addition to the existing reservations and subject to a maximum of ten per cent of the total seats in each category*". The Statement of Objects and Reasons of the Bill states that people from economically weaker sections of the society have largely remained excluded from attending the higher educational institutions and public employment on account of their financial incapacity to compete with the persons who are economically more privileged.

The bill states that it is drafted with a will to mandate Article 46 of the Constitution of India, a Directive Principle that urges the government to protect the educational and economic

interests of the weaker sections of society. While socially disadvantaged sections have enjoyed participation in the employment in the services of the state, no such benefit was provided to the economically weaker sections.

AMENDED ARTICLES

- Article 15 (6) is added to provide reservations to economically weaker sections for admission to educational institutions including private educational institutions, whether aided or unaided by the State, other than the minority educational institutions referred to in clause (1) of Article 30. The amendment aims to provide reservation to those who do not fall in 15 (5) and 15(4) (effectively, SCs, STs and OBCs).
- Article 16 (6) is added to provide reservations to people from economically weaker sections in government posts.
- An *explanation* states that "economic weakness" shall be decided on the basis of "family income" and other "indicators of economic disadvantage."

A PIL has been filed by Mr. Amar Foolwala challenging the constitutional validity of the said amendment.

The CJI of India has decided to setup 15 judge Constitution bench to decide these legal questions :

- 1. Whether policy of reservation itself is unconstitutional?**
- 2. Whether 103rd Constitutional Amendment is valid or not?**

