



MOOT COURT SOCIETY

THE MOOT COURT SOCIETY RULES AND REGULATIONS (2022-23)

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*.

In addition to the above mentioned persons, there shall be a *Faculties-In-Charge* for the purpose of guiding and overseeing the activities of the MCS.

- b. Only the Committee Members of the MCS are eligible to apply for the Core Committee.
- c. Students interested to be a part of the Core Committee must send an e-mail consisting of their Curriculum Vitae ("CV") along with a Cover Letter. This email 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.
- d. An Interview would be conducted by the existing Core Committee under the guidance of the *Faculties-In-Charge*.
- e. 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 *Faculties-In-Charge*.
- f. The *Faculties-In-Charge* have the discretionary authority to create a new post, appoint /remove any member of the MCS.

2. ADVISORY BOARD

- a. The Advisory Board would consist of the Ex-Core Members of the MCS which would be duly appointed by the *Faculties-In-Charge*.

- b. The Advisory Board would be called upon at any given time by the existing Core of 2022-23 or the *Faculties-In-Charge* in order to aid/advise on any circumstances prevailing.
- c. The Advisory Board will be chaired by the President who would be appointed by the *Faculties-In-Charge* of the MCS.

3. ALLOCATION PROCESS

A. SPEAKERS:

- i. Students shall be permitted to participate as speakers and researchers 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 every year and secure scores in accordance with the scoring system of the Intra Moot Court Competition.
- ii. In the event of completion or unavailability of Speakers from the Intra Speaker's List, the Provisional List of Speakers shall be utilized. The Provisional List of Speakers shall have only those students who have participated in the Intra Moot Court Competition organised by the MCS but not on the Intra Speakers' List.
- iii. The students can participate only once through the allocation process as a speaker for any Moot Court Competition that is released through the process of allocation.
- iv. The bidding procedure shall be as follows:
 - (1) The students upon reading the Notice Board, after the Moot Court Competition is published officially on the MCS's Notice Board / Website (www.mootcourtsocietypgcl.com), and wishes to go for the said Moot Court Competition, will require to form a team of three members i.e. 2 Speakers from the Intra Speaker list and One Researcher from the Intra Researcher's List;
 - (2) The said notification regarding the upcoming moots shall also be notified to the students via the Official Moot Court Website and MCS Notice Board. *[Subject to the prevailing pandemic situations]*
 - (3) The teams shall bid for the said Moot Court Competition showing interest in representing the College in the said Moot Court Competition. The team with Speakers from the highest rank and higher score of the Researcher shall be allocated the Moot Court Competition;

- (4) The teams shall be given 48 hours to bid for the Moot Court Competition once the Notice is put up.
- (5) The teams cannot take back their bid once they have shown interest and an official bid has been sent to allocation.mcs@gmail.com
- (6) In the circumstances of one of the team member backing out, the said position shall be open to individual bidding from the respective Speakers / Researcher's 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 Formalities.

B. 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;
- ii. The procedure mentioned in Rule 3(A)(iii) of the MCS Rules and Regulations, 2022-23 shall be applicable;

C. If any mentor or team manager is required to assist the team, the MCS shall arrange an appropriate mentor, provided the team approaches the MCS not less than 10 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)	HH (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.**

4. ALLOCATION THROUGH ELIMINATION(S):

- a. Moots can be allocated to students after conducting Eliminations. **No Trial competition shall be allocated to students on the basis of Intra Moot Court lists.** Such competitions will be allocated only after conducting Elimination Rounds.
- b. A notice shall be put up on the Notice Board and Official Website at least one week prior or as and 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.
- c. The teams who register for a given elimination, at first, will have to appear for a Researcher's test based on the particular Moot's proposition followed by the oral rounds. The scores of the Researcher's test and the oral rounds would be added. The highest scoring team shall win the elimination and proceed with the Moot Court Competition. The Researcher's test will be conducted for a duration of **5 mins** and will comprise of **10 questions** carrying **2 marks each** and a **negative marking of - 0.5** marks for each wrong answer .
- d. 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 period after the Notice is put up on the Notice board, the MCS shall inform the students through the official Notice Board.
- e. The draw of lots for the said Eliminations shall be conducted two days prior to the Eliminations. The Researcher's test would take place 1 or 2 days prior to the oral rounds (oral elimination).
- f. The teams registering for the Eliminations shall, along with all the teammates, be present for the Eliminations.

- g. 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.
- h. Rule 4(g) of the MCS Rules and Regulation, 2022-23 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 of the Competition
- i. 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 registering for the Moot Court / Trial Competition.
- j. In case, a team or student wishes to represent our college in a certain Moot Court Competition which has 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 a provisional registration from the host college the Moot Court Competition shall be allocated through the Elimination procedure as mentioned in Rule 4 of the MCS Rules and Regulations, 2022-23.
- k. The list of Moots subjected to Eliminations shall be put up on the Notice Board and Official Website by the MCS.
- l. The Eliminations shall be subject to an expert in the particular subject of the Moot, an alumni (as per the availability) and *the Faculties-In-Charge*.

5. INTERNATIONAL MOOT COURT COMPETITION:

- a. Any team or student interested in representing our 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 4 of the MCS Rules and Regulation, 2022-23.
- 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 Faculties-In-Charge.
- d. The teams will be assigned a mentor / coach and an additional researcher on the written request emailed to the MCS by the team within 2 weeks of receiving the email.

- e. All decisions regarding International Moots will be made solely at the discretion of the Moot Court Society.
- f. All Participants that wish to participate in the International Moot must have a prior experience of at least 2 National Moots (excluding Intra Moots).

6. 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 has participated. The student shall also be restricted from participating in any Elimination Round of a Moot Court Competition or a Trial Competition.
- 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/ 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 allocated prior to the Examinations.
- e. No student/ team can participate in any Moot Court Competition using the name of Pravin Gandhi College of Law or Mumbai University without the prior approval from the *Faculties-In-Charge* and the MCS. Strict action will be taken against students/ teams 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 has reason to believe that the preparation of the Team is unsatisfactory.

7. 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 allocated to the Students.
- b. The research, final draft of the memorials, and oral presentation shall be assessed and approved by the Mentor and/ or *Faculties-In-Charge*. In addition, the participating team is required to give a demo-hearing of their arguments advanced to the *Chairperson*/or to any

person upon the discretion of the *Chairperson* of the MCS, not less than 5 days before the commencement of the Competition (subject to change).

- c. The participants are expected to fill a Moot Feedback Form which shall be attached and submitted in the college office along with the reimbursement and attendance form within a period of five working days after 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.

8. GRIEVANCE REDRESSAL FORUM:

- a. Any Grievances about the allocation of moots/ team member or any other issue related to the moot / trial shall be addressed only to the *Chairperson* of 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* and any other member at the discretion of the *Chairperson*. The minutes of the said hearing shall be duly recorded.
- f. The hearing shall be preferably conducted on either the 2nd or the 4th Saturday of the Month.
- g. Any Grievances regarding the functioning of the MCS shall be addressed to the *Faculties-In-Charge* of the Committee.
- h. An assessment hearing shall take place for the same in presence of the parties by the *Faculties-In-Charge* and the minutes of the said hearing shall be recorded.

- i. The MCS will provide a replacement (subject to availability) to the particular team whose team member has backed out from 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.
- j. For any kind of Grievance Redressal an assessment hearing will be conducted.

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

In order to claim reimbursement, students/ teams are expected to submit the bills/ tickets/ receipts of the costs incurred along with the Reimbursement claims form available in the college office.

Reasonable expenses are decided by the SVKM Trust and the College Office. The MCS has no discretion or authority over the reimbursement amount.

10. PENALTY:

- a. Students withdrawing themselves from a Moot or Elimination (after the draw of lots) shall be deprived from participating in any Moot/ Elimination for a period of 90 days from the date of ban imposed by the MCS.
- 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 from the date of ban imposed by the MCS.
- d. In case of withdrawal of the participation by one of the *member 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 10(d).

11. APPEAL:

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

THE MOOT COURT SOCIETY PANDEMIC RULES AND REGULATIONS

1. APPLICABILITY:

These Rules shall be applicable in the case of the pandemic situation that arises and shall remain in force subject to the situation.

2. NOTICES:

- a. Notices pertaining with respect to intimation of various Moot Court Competitions shall be communicated by the respected Class Representatives (“CR”) through WhatsApp and the Official Website. The procedure for registration mentioned in Rule 4 (a) of the MCS Rules and Regulations, 2022-23 shall be applicable;
- b. The MCS shall not bear any responsibility in case the CR fails to circulate the message in time.

3. ALLOCATION OF MOOTS:

- a. As several Moot Court Competitions have been cancelled/ rescheduled indefinitely, the Intra Speakers List and the Intra Researchers List shall be utilized for allocation of Moot Court Competitions as and when the MCS receives invitations for various Online Moot Court Competitions.
- b. The process of allocation of moots shall be in accordance with Rule 4 of the MCS Rules.
- c. The Draw of lots shall be on *first-come-first-serve* basis only.

NOTE:

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

Geeta Kubsad.

Dr. Geeta Kubsad
Faculty-in-Charge

Anushka Mansharamani

Anushka Mansharamani
Chairperson