



Shri Vile Parle Kelavani Mandal's
Pravin Gandhi College of Law

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MOOT COURT SOCIETY

PRESENTS

NYAYAVALOKAN 2021

TRIAL ADVOCACY

AND

JUDGMENT WRITING COMPETITION

16 & 17 JULY, 2021

RULES AND REGULATIONS

The participation in the Nyayavalokan Trial Advocacy and Judgment writing competition (hereinafter referred to as “the said competition”) is restricted to the teams who had attended the boot-camp held between 21st June, 2021 to 26th June, 2021.

PART I – TRIAL ADVOCACY

▪ ARTICLE 1 – TEAM COMPOSITION

1. Each team shall consist of 4 members only. This number shall not be modified under any circumstances.
2. There shall be 3 Speakers and 1 Researchers designated for each team.
3. The researcher shall participate in the Judgment writing competition. There shall be no alteration in this regard.
4. Each team will have a unique team code.

▪ ARTICLE 2 – DATE AND VENUE

1. The said competition shall be held on the 16 & 17 July, 2021 on a virtual platform of MS-Teams.

▪ ARTICLE 3 – DRESS CODE

1. Advocates attire (including neckband and gown) is not compulsory. Court room formals is mandated. Both for the ladies and gentlemen.

▪ ARTICLE 4 – LANGUAGE

1. The said competition shall be in English only. Use of vernacular language by the participants during the said competition is prohibited.

▪ ARTICLE 5 – WITNESSES

1. The Moot Court Society (“MCS”) will provide the witnesses. The assigned witnesses will be briefed generally.
2. However, each team will have an opportunity to specially brief their witnesses. The witnesses to be briefed will be assigned to each team prior to the commencement of the respective rounds.
3. All the participating teams must ensure that the witnesses depose only in English language.
4. It is mandatory for the Prosecution and the Defence to examine all the witnesses and dropping a witness will result in loss of marks.
5. However, the order in which witnesses are to be examined shall be determined by the concerned team taking examination in chief or cross – examination, as the case may be.
6. The team conducting examination in chief of their witnesses or the team cross-examining the witnesses will desist from arguing with the witnesses.



7. The Defence and the Prosecution shall prove the exhibits from the trial proposition with the concerned witnesses in accordance to the Indian Evidence Act, 1872.

▪ **ARTICLE 6 – SCOUTING**

1. Teams shall not be allowed to observe the orals of any other teams. Scouting is strictly prohibited. Scouting by any of the teams shall result in disqualification.
2. The researchers will sit with the speakers at the time of orals and shall not attend the court sessions of any other team participating in the said competition.

▪ **ARTICLE 7 – ROUNDS**

1. There shall be only two rounds in the competition. The teams have to appear once as the Prosecution and once as the Defence.
2. The draw of lots shall be held 2 days prior to the competition.
3. The witness briefing for rounds shall be for 35 minutes.
4. There shall be one list at the conclusion of both the rounds based solely on the scores that the teams secure.

▪ **ARTICLE 8 – ORAL ROUNDS**

1. For the rounds the time slot shall be as follows: -

	STAGE OF THE TRIAL	TIME SLOT
a.	Opening Statement (i.e. submissions on charge) on behalf of the Prosecution	2 minutes
b.	Opening Statement (i.e. submissions on charge) on behalf of the Defence	2 minutes
c.	Examination-in-Chief on behalf of the Prosecution	15 minutes for each witness
d.	Cross Examination on behalf of the Defence	20 minutes for each witness
e.	Examination-in-chief on behalf of the Defence	15 minutes for each witness
f.	Cross examination on behalf of the Prosecution	20 minutes for each witness
g.	Final / Closing Arguments on behalf of the Prosecution	10 minutes
h.	Final / Closing Arguments on behalf of the Defence	10 minutes

- Therefore, the Prosecution will get a total of 150 minutes and the Defence will get a total of 150 minutes in each of the rounds.
- Each speaker shall have to conduct Examination-in Chief and Cross Examination of at least one witness in each round.
- This rule shall apply to the two (2) rounds comprising the preliminary round. Each Speaker shall deliver either the opening statement or the final argument in each round.

Note: For all the rounds, participants are requested not to continue the Examination-in-Chief or the Cross Examination of any witness whilst the Judges are dictating to the stenographer.

▪ **ARTICLE 9 – JUDGING CRITERIA**

1. Parameters for judging are: -

- a) Knowledge of facts.
- b) Logic & clarity in reasoning.
- c) Persuasiveness and deference to court.
- d) Proper, articulate and systematic analysis of the issues arising out of facts.
- e) Understanding of the laws of evidence and procedure.
- f) Ability to successfully conduct chief/cross examination within the allotted time.
- g) Ability to elicit favourable facts from witnesses or deal with unreceptive, argumentative witnesses.
- h) Ingenuity (ability to argue by analogy from related aspects of law) or knowledge of the relevant provisions relating to penal laws.
- i) Ability to draft application seeking permission to examine accused under the relevant provisions of law OR the ability to correctly lead evidence to exhibit/prove an article or document.
- j) Ability to connect the dots and prove the case.

▪ **ARTICLE 10 – CERTIFICATES**

- 1. Certificates will be awarded only to the teams who have successfully completed the five days boot-camp training, followed by the trial competition.
- 2. Teams shall not be receiving the certificate if they fail to participate in the Judgment writing competition.

▪ **ARTICLE 11 – MISCELLANEOUS**

- 1. Case laws that the parties wish to rely on at the time of final arguments shall be submitted in soft copy formats (only from authentic sources).
- 2. Opening statement of the prosecution will require the prosecutor to address the judges on the charge it wishes the court to frame. It shall be necessary to point out the supporting material from the charge sheet herewith provided to sustain the charge.



3. As far as the defence is concerned, the opening address shall require them to point out if there is any charge which the court ought not to frame as there is no material in the charge sheet provided herewith to support the same.
4. Judges are at liberty to ask questions to the participants on relevant points of law which may arise from the problem or relevant provisions of Code of Criminal Procedure or Indian Evidence Act, arising during conducting the trial, in order to test the Participant's knowledge of the relevant provisions relating to penal laws.
5. All documents (marked as Exhibits) or articles mentioned in the charge-sheet are assumed to be exhibited in accordance with the Indian Evidence Act, 1872.
6. The judges will be recording the evidence for both the prosecution and defence as taken by participants in the said competition.
7. ***In the event there is any contradiction between the evidence recorded in court and the Statements recorded under section 161 of the Code of Criminal Procedure, 1973, the participants must be aware as to the procedure to deal with such contradiction.***
8. After completion of evidence, the participants will be given notes of evidence of prosecution and defence recorded by the court.
9. A fifteen (15) minutes break will be given to the participants for the perusal of the said notes. The participants will have to advance for the Closing / Final Arguments only on the basis of the notes of evidence and the exhibited documents so provided to them.
10. The Defence statements provided in the Appendices are only given to guide the participants on the line of defence to be taken and to assist the Prosecution in preparing for cross-examination of the defence witnesses. The Prosecution is also put on notice as to along what lines the Defence witnesses shall testify.
11. All participating teams must be conversant with the Indian Penal Code, 1860; Criminal Procedure Code, 1973; and Indian Evidence Act, 1872 whilst taking evidence and advancing final arguments for the prosecution and the defence.

PART II – JUDGMENT WRITING COMPETITION

The Judgment writing competition will be held after the second round of the competition. It is mandatory for every Researcher of each team to participate in the Judgment writing. The Researcher shall have to type the judgment and send it to – allocation.mcs@gmail.com within a time span of not more than three (3) hours pursuant to the end of the second round.

The decision of the Organizing Committee with regards to the application of the Rules and Regulations mentioned hereinabove shall be final and binding.

