



**Faculty of Law**

**MOOT COURT POLICY**

**CHAPTER 1: PRELIMINARY**

**Clause 1: Short title, extent and commencement of the policy**

- 1.1 This policy shall be called as “Faculty of Law, MOOT COURT POLICY”.
- 1.2 The policy shall be applicable to all the students of Faculty of Law
- 1.3 The policy shall come into force from the Academic year 2022-23
- 1.4 The policy extends to all the moot court, arbitration, medication, client counselling and negotiation competitions organized or participated by the students at the institute

**Clause 2: Definitions**

- 2.1 “Academic Year” means the annual period, consisting of two semesters, during which the Institute holds its classes and it generally commences from August to July.
- 2.2 “Committee” means the Moot Court Committee,
- 2.3 “Intra Moot Court Competition” means internal assessment of the mooting skills of the students which further get opportunities to the best 15 selected students to represent the college at International/National level moot court competitions.
- 2.4 “Participating Team” means the team, which is participating in a National or International Moot Court Competition representing the Institute and has received confirmation of the same from the Host University/College/Institution.
- 2.5 “Student Member” means the students who are a part of the Moot Court Committee of the Institute selected as per the rules provided hereafter.
- 2.6 “Team” means the term consisting of 3 members, of which two members shall be Speakers and one member shall be a Researcher.

**CHAPTER II: MOOT COURT COMMITTEE**

**Clause 3: Moot Court Committee**

- 3.1 The Institute shall constitute a Committee to be called as the ‘Moot Court Committee’ to exercise such powers and perform such functions as may be conferred on or assigned to it under this Policy.

**Clause 4: Tenure of the Committee**

The tenure of the Committee shall be for one academic year, post which, it shall be freshly constituted.

**Clause 5: Members of Moot Court Committee**

The Committee shall consist of a Convener as the head of the Committee, a Faculty Coordinator, Faculty Co-Coordinator, and Student Members.

### **Number of Student Members in Moot Court Committee**

The Committee shall consist of 10 student members which includes students from 2<sup>nd</sup> year to 5<sup>th</sup> year, Which includes 2 students from 5<sup>th</sup> year, 2 students from 4<sup>th</sup> year, 2 students from 3<sup>rd</sup> year and 4 students from 2<sup>nd</sup> year.

The selection process will be on the below stated grounds:

1. Students who have qualified for the final round of Intra moot Court Competition 2022.
2. The student must have applied for the post of MCC from the finalist of Intra Moot Court Competition
3. Winner and the Runner up of the Novice moot court competition will be selected as an Ex-officio member MOC.student member can be selected on the below stated criteria.

### **Clause 6: Selection Procedure for MCC**

- 6.1 The student Members of MCC shall be heading the Selection Committee, such persons are directed by the HOI.
- 6.2 The interested students shall place an application before the Selection Committee within the time specified in the Notice placed for the composition of MCC.
- 6.3 The application shall be addressed to Faculty Moot Court Co-coordinated.
- 6.4 The application shall contain justification for the selection in the Committee and the same may be supported by the requisite Certificates.
- 6.5 The Selection Committee shall scrutinize the application and short-list the students for the interview.
- 6.6 The shortlisted students shall be interviewed by the Selection Committee and shall accordingly finalize the Student Members for the MCC.
- 6.7 The decision of the Selection Committee shall be final and binding.

### **Clause 7: Function of Moot Court Committee**

- 7.1 The Committee shall organize Intra Moot Court Competitions & National Moot Court Competition.
- 7.2 The Committee shall be responsible for identifying National and International Moot Court Competitions for participation by the Institute. The Committee may use the rankings of the various Moot Court Competitions.
- 7.3 The Committee shall provide assistance, if necessary, to the teams selected for the identified Moot Court Competition.
- 7.4 The Committee shall organize a Moot orientation programme for the 1<sup>st</sup> Year Students in the beginning of their academic year.
- 7.5 The Committee shall organize expert lectures on Moot Court, Mooting Skills and Memorial Drafting from time to time.
- 7.6 The Committee may hold weekly meetings, on such day, as may be decided by the appropriate authority.
- 7.7 The Committee shall keep proper record of all the Moot Court activities.
- 7.8 The Committee must ensure utmost transparency, fairness and non-arbitrariness in the execution of all its functions.
- 7.9 The Committee must carry out all the above mentioned and such other functions to promote the mooting culture and to thrive towards excellence in such mooting skills.

#### **Clause 8: Termination of the Student Member of Moot Court Committee**

- 8.1 The membership of the Student Member who engages in activities in violation to this policy shall be terminated.
- 8.2 Membership may also be terminated when any Student Member does not appear for two consecutive meetings without prior application to the Faculty Coordinator or any valid reason in case of emergency.
- 8.3 Once terminated he/she will no longer be a part of the Committee and must stop exercising all official powers and functions thereof.
- 8.4 A member is found to be negligent towards his duties as envisaged under this Constitution.
- 8.5 In case the member is found guilty of misconduct, he/she may be debarred from the Committee membership for all time in the future.

#### **Clause 9: Term of Student Members of Moot Court Committee**

The term of Student Members in the Moot Court Committee shall be one academic year and they are eligible for re-selection in the committee.

### **CHAPTER III: MOOT COURT COMPETITION**

#### ***Part I***

#### ***Intra Moot Court Competitions***

#### **Clause 10: Organization of Intra-Moot Court Competitions**

- 10.1 The Moot Court Committee shall organize Intra Moot Court Competition for the students of the students of the Institute, in accordance with this Policy.
- 10.2 The Moot Court Committee shall also organize a Moot Court Exercise for the students of 1<sup>st</sup> year in accordance with this Policy.

#### **Clause 11: Participation in the Intra Moot Court Competitions**

- 11.1 All the students of the Institute may participate in the Intra Moot Court Competition organized by the Institute.
- 11.2 For the Preliminary round the participant will argue on either side as Appellant or Respondent. 30 best students will be selected for the final round from that 10 teams will be constitute and shall consist of only three members, of which two members shall be Speakers and one member shall be a Researcher.
- 11.3 The participation in the Intra Moot Court Competition shall be subject to the rules of Intra Moot Court Competition framed by the Committee from time to time.

#### **Clause 12: Selection of teams from the Intra Moot Court Competitions**

- 12.1 Top 15 students, as per the merit list, from each Intra Moot Court Competitions shall constitute the Panel for that semester with the purpose of representing the Institute in different National and International Moot Court Competitions held during the academic year, respectively.
- 12.2 The remaining teams may also represent the Institute in various Moot Court Competition held during the academic year, provided all the teams in the Panel have been allotted a particular Moot Court Competition.
- 12.3 The teams in the panel shall benefit from the academic sessions and are reimbursed etc.

### **Clause 13: Identification of Moot Court Competition for Participation**

The comprehensive list of the international and national moot court competition to be held in a particular academic year along with their areas of law, dates, venues, level of competition and past performance of the university in the same, shall be placed before the Head of the Institute, by the Moot court committee.

The HOI shall select the top five International and National Moot court competitions in consultant with the faculty Moot court coordinator.

The team constituting the panel will participate in these top 5 International and national moot court competitions selected by the HOI.

## **Part II**

### **Allocation of Moot Court Competition**

#### **Clause 15: Allocation of Moot Court Competition**

The Moot Court Competition shall allocate International Law and National Law Moot court competition to the panel, from the top 5 Moot Court Competition selected in respective areas by the HoI.

The allocation shall be based on the preferences given by the teams and their preferences will be granted according to their ranking in the respective Intra Moot Court Competition.

*Illustrations:* The team placed 1<sup>st</sup> in the Intra National Round Moot Court Competition will be given first preference to choose the national moot court competition.

#### ***Clause 16: Allocation of Moot court under exceptional circumstances***

The committee shall have the sole discretion in allocating a Moot Court competition to a team whose previously allocated Moot Court Competition has been cancelled without any fault on their part.

In case of client Counselling & Negotiation competitions, allocation shall be done through a separate test, to be organized exclusively by the committee.

*Explanation:* For the purpose of this policy, Arbitration Competitions shall be deemed to be Moot Court Competitions and such competitions shall be allocated to the same panel, in accordance with the procedure mentioned in clause 15.

#### **Clause 17: Allocation of Moot Court Competition in case of Team Split**

In a case of a split in a team which has been selected in the panel and/or allocated a particular Moot Court Competition wherein one member wishes to leave the team or is unable to continue with the team due to unavoidable circumstances, then the other two members may induct a new member from the list of participants in the Intra Moot Court Competition with the prior approval of the Moot Court Committee.

The team from which such member has been taken as per the aforementioned clause shall, in case of allotment of a moot court competition, be eligible to induct a new member from the list of participants, who have been allotted with any moot court competition, in the Intra Moot Court Competition with the prior approval of the moot court committee.

## **CHAPTER IV: PARTICIPATION PROCEDURE**

### **Clause 18: Registration & confirmation of a team:**

After the allocation of a moot court competition, the team shall fill up the registration form provided by the university hosting the particular Moot court competition, and submit the same to the Moot court committee, at the earliest instance.

The committee shall procedure the seal of the institute in the registration form and sanction the registration of the team by the HOI.

The team shall be deemed to be registered participant only when a confirmation of the team is received from the university hosting the particular Moot Court Competition.

### **Clause 19: Sanctioning the Moot Application Form**

The committee shall cause the sanctioning of a moot Application form for every team, which has been registered in a particular Competition, by procuring the sanctioning of the same by the HOI.

The Moot Application Form is a comprehensive form which includes all the grant of benefits regarding academic leave.

A copy of this form shall also be required at the time of applying for reimbursement.

### **Clause 20: Procedure for procuring Academic leave**

The grant of Academic leave for the preparation period shall be include in the Moot application Form. No separate application is required to be written and submitted to the committee.

After the grant of academic leave by the HOI the faculty coordinator of the moot court committee shall keep the original application form and forward a copy of the same to the respective Convener and Course- Coordinators.

In addition to the Moot Application form, the team shall submit an academic leave form, for the actual days of travelling, as soon as the team confirms its travel plan, and actual days of exemption, to the respective class coordinator.

The team also have to give the undertaking to the college, regarding any contingencies for which college will not be liable.

### **Clause 21: Memorial Submissions and Screening**

Each participating team has to submit a hard copy of their memorials to the moot court committee 7 days prior to the actual date of memorial submission, for purpose of scrutiny at the Institute level.

*Illustration:* If the actual date of submission to the Moot court competition is 20<sup>th</sup> September, the team shall keep their target of completing their memorial and submitting the same to the committee on 13<sup>th</sup> September.

The memorials shall be scrutinized by a committee consisting of a faculty having expert knowledge in the subject area of the respective moot, and faculty in charge of the moot court committee or by any such other person as may be directed by the HoI.

Such committee shall advice and suggest amendments necessary in the memorial submitted to the team, and the team shall incorporate the same to the fullest possible extent.

All the teams are mandatorily required to give a mock pre moot of their oral pleadings before the actual moot competition and after submission of their memorials (hard copy) in the institute. The team shall be adjudged by either a faculty in charge of moot court committee or any other faculty member of the institute or any other person, as may be directed by the HoI.

### **Clause 22: Sharing of Experience**

After returning from the Moot Court Competition, the team shall be bound to share their experience among the students of the Institute.

The team shall submit the written report of their experience to the committee within 2 working days of their return.

The team may also suggest any amendments or alteration to the Moot Court Policy depending upon their experience and exposure, in the report itself.

## **CHAPTER V: REIMBURSEMENT**

A team shall be entitled to reimbursement of the expenses incurred during participation in a Moot Court Competition.

Subject to the aforementioned clause the team shall be entitled to reimbursement to such extent as may be prescribed by the committee from time to time.

The teams seeking reimbursement under the aforementioned clause shall make an application for the same & provide the following documents to the moot committee for scrutiny: 1)Certificate of Participation; 2)Memos & case books if any; 3) Moot Application Form; 4) Moot court report 5)Receipts and vouchers of the expenses incurred including travel tickets, photocopies.

Application shall be forwarded for approval and scrutiny by the appropriate authority and if no discrepancy is found, be forwarded to the head of the institute for sanctioning the same.

After the sanctioning of the reimbursement application the same shall be sent to the appropriate authority in the college and the grant of the mentioned reimbursement amount in the application shall be subject to the rules of the college.

### **Clause 24: Reimbursement policy for participation in National & International Moot Court Competitions**

The team shall be given relaxation in incurring the expenditure for participation in Moot Court Competitions as follows:

1) Second class sleeper fare of the train or actual fare incurred in journey by bus shall be reimbursed for each member of the team, provided the relevant tickets/copies of the tickets is produced.

2) Registration fees, if any, shall be reimbursed, subject to the production of Receipt of Fee.

3) Expenses on local conveyance at Ahmedabad and at the destination of the competition alone, if organizers have not provided transportation facility, shall be reimbursed, subject to the rules of the University.

4) The expenses incurred on printing, stationary and binding work of memorials shall be reimbursed in accordance with the College rules, provided a receipt from the photocopy centre Decided by the college.

5) Accommodation Expenses shall be reimbursed, in case the same is not provided by the Organizers.

24.2 No team shall be eligible for reimbursement unless a Comprehensive report is submitted to the Moot Court Committee within 2 working days of reporting back to the Institution. A grace period of 2 days may be provided to the team, in exceptional circumstances, by the HoI.

24.3 The team seeking reimbursement shall submit the relevant application within 10 days of returning from the Moot Court Competition. No team shall be entitled to reimbursement after 10 days of reporting to the institute, unless under exceptional circumstances and subject to the discretion of the HoI.

24.4 The students shall submit a copy of memorial in the library and attach an acknowledgement of receipt thereof, along with their application for reimbursement.

## **Clause 25: Extent of reimbursement for participation in International Moot Court Competition**

25.1 The teams participating in the regional/national/domestic rounds in India or any International Moot Court Competition shall be reimbursed the entire expenditure incurred during the Competition held in India.

25.2 The teams participating in International Moot court Competitions held outside India shall be reimbursed as per the reimbursement claim amount which shall be calculated as per the following scheme:

Reimbursement Scheme for International Rounds	
Position obtained	Percentage of Reimbursement
Winner	Upto 100% of the Total Expense
Finalist	Upto 80% of the Total Expense
Semi-Finalist	Upto 60% of the Total Expense
Participation alone	Upto 30% of the Total Expense
Participation through regional/Domestic/National Qualifying Rounds	Upto 50% of the Total Expense

*Explanation: For the purpose of this Clause, the term “total expense” shall mean the Sum-total of the expenses relating to the following categories:*

1. *To & Fro travel to the country where the competition is conducted;*
2. *Registration fees, if any;*
3. *Expenses on local conveyance at the destination of the competition alone, if Organizers have not provided the same, subject to the rules of the University;*
4. *The expenses incurred on printing, stationary and binding work of memorials, provided a receipt from the photocopy centre in the University campus is produced.*

## **CHAPTER VI: ACADEMIC EXEMPTIONS**

### **Clause 26: Academic Leave for the participating teams**

27.1 The teams in the Panel shall be given academic leave of 10 working days, for the purpose of preparation of memorials and oral pleadings. The aforementioned 10 days, excludes the academic leave granted for the actual days of travelling and actual days of competition.

27.2 The teams in the panel may be given further exemption by the HoI, as it may deem fit, on the recommendation of the Moot Court Committee and the appropriate authority, based on the requirements of research.

27.3 The teams that are not in the panel shall be given academic leave of only 5 working days, for the purpose of preparation of memorials and oral pleadings. The aforementioned 5 days, excludes the academic leave granted for the actual days of traveling and actual days of participation, in the respective Moot court Competition.

### **Clause 27: Academic Exemption regarding Examinations, Term Assignments, etc.**

28.1 For the purpose of facilitating the participating teams in effectively preparing for their respective Competitions, the respective course-coordinators shall make a list of all the students who have their term-assignments clashing with the exemption period and/or the actual days of travelling and the actual days of Moot Court Competition, because of participation in a Moot Court Competition under this policy. The course-coordinator shall take the term-assignments of all such students collectively, at the end of the semester, at any feasible time and manner, as it may deem fit to the course-coordinator, on the recommendation of the Moot Court Committee.

## **CHAPTER VIII: CONCLUSIVE AUTHORITY**

### **Clause 28: Relief**

With the objective of promoting mooting in the Institute, the HoI being the conclusive authority may exercise discretion to grant any appropriate relief to the terms, as it may deem fit. The HoI may also change or modify or amend the Moot Policy as it may deem fit.

### **Clause 29: Penalty**

Members of a team, who fail to fulfil their obligation as stated in this policy, may be rendered ineligible for any reimbursement of expenses under this policy and/or may be debarred from participating in any moots for one academic year or/and any further action which may deem appropriate, by the sanction of the HoI.

## **ANNEXURE I**

### **Reimbursement Form**

**Members of the Team:**

- 1.
- 2.
- 3.
- 4.
- 5.

**Name of the Moot Court Competition:**

**Date of the Competition:**

**Expenditure Incurred:**

1. Printing cost:
2. Travelling Costs:
3. Accommodation Costs (if any):
4. Registration fees (if any):

**Mandatory Requirements:**

No.	Requirements	Yes	No	Signature
1.	Certificates of Participation			
2.	Memos & Case – books (if any)			
3.	Moot Application Form			
4.	Moot Court Report			
5.	Receipts and Vouchers			

Signature of the Members

Moot Court Committee

## **ANNEXURE II**

### **Check List**

- Registration and confirmation of the Team at the respective Competition
- Sanctioning of the Moot Court Application Form
- Grant of Academic Exemption & Library Resource
- Memorial Submission at the Institute
- Memorial Submission (to the Moot Organizers)
- Screening (Oral and Written) at the Institute
- Participation in the Moot Court Competition
- Submission of the comprehensive Report to the Institute
- Sharing of Experience at the Institute
- Applying for Re-imbursement at the Institute