



UNIVERSITY OF RAJASTHAN

10TH FIVE YEAR LAW COLLEGE, RANKA
NATIONAL MOOT COURT
COMPETITION, 2021

4TH - 6TH JUNE, 2021

About

The University of Rajasthan hold the distinction of being the oldest institution of higher learning in Rajasthan. It was established as Rajputana University on 8th of January 1947. The university is recognized from the time of its inception under sections 2(f) and 12 B of UGC Act, 1956 and has also got the status of University with Potential for Excellence (UPE). In 2018, University ranked in the range of 101 – 150 (in university category) by National Institutional Ranking Framework (NIRF), Ministry of Human Resource Development, Government of India and has the honor of having being accredited "A Grade" by National Assessment and Accreditation Council (NAAC).



UNIVERSITY OF RAJASTHAN, JAIPUR



ABOUT US

University Five Year Law College has a history of eliciting educated and intellectual scholars to society. The college stands as a self-financing institution, which offers a five year integrated B.A.LL.B (HONS.) programme. This course was established under an ambitious programme initiated by University of Rajasthan with a vision to provide education which will allow law graduates to become well-equipped and skilled to deal with contemporary challenges in field of law. Establishment of this Institute has been highly distinguished, as it subsists to be the foremost law school in the heart of the Pink City. The college inhabits its own well-established facility, with access to Wi-Fi, updated library, activity rooms, seminar hall, access to legal database, A/C lecture theatres along with 24-hour CCTV surveillance. Accordingly, the college has an excellent record of nurturing an extensive understanding of the law, both theoretically and analytically amid learners via organizing various Moot Court Competitions, workshops, seminars, etc.



**Our duty is to raise
intelligent and
future-driven
students.**

**UNIVERSITY FIVE YEAR
LAW COLLEGE**

UNIVERSITY OF RAJASTHAN,
JAIPUR



Invitation

The Director

Subject : Invitation for the 10th FYLC
Ranka National Moot Court Competition,
2021

Respected Sir/Madam
Greetings!

It is with immense pleasure that the Five Year Law College, University Of Rajasthan, presents the 10th UFYLC Ranka National Moot Court Competition, 2021 to be held on 4th-6 June, 2021. We take this occasion to invite your esteemed institution to participate in the competition and extend to us the privilege of hosting the participating team. It will be our endeavour to create an atmosphere of invigorating intellectual challenges and the opportunity to learn court craft through simulated experiences in the competition. We look forward to a positive response.

Best Regards
Dr. Sanjula Thanvi
Director, UFYLC

CHIEF GUESTS ON THE DAIS FOR THE PREVIOUS MOOT COURT COMPETITIONS



Hon'ble Mr. Justice Dipak Misra
Former Chief Justice of India



Hon'ble Mr. Justice Anil R. Dave
Former Judge of Supreme Court of India



Hon'ble Mrs. Justice Gyan Sudha Misra
Former Judge of Supreme Court of India



Hon'ble Mr. Justice G.S. Singhvi
Retd. Judge of the Supreme Court of India.



Hon'ble Mr. Justice Prakash Chandra Tatia
Former Chief Justice of the Rajasthan High Court



Hon'ble Mr. Justice V. Gopala Gowda
Retd. Judge of the Supreme Court of India



Hon'ble Mr. Justice KS Javeri
Former Chief Justice of Orissa High Court



Hon'ble Mr. Justice Navin Sinha
Judge of the Supreme Court of India

Dignitaries in Previous Ranka Moot Court Competitions



Hon'ble Justice Mr. Ajay Rastogi
Judge of Supreme Court of India
Former Chief Justice of Tripura High Court
Former Acting Chief Justice of Rajasthan High Court



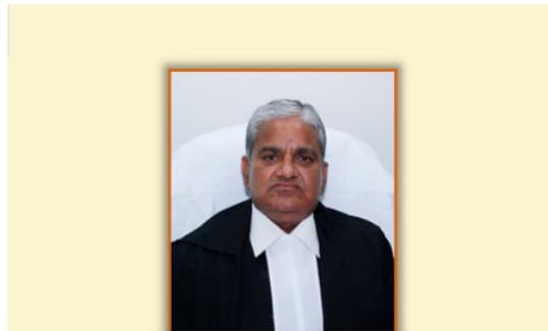
Hon'ble Justice Mr. MN Bhandari
Appointed as Judge of the High Court of Rajasthan
Transferred to Allahabad High Court



Hon'ble Justice Mrs. Sabina
Judge Rajasthan High Court



Hon'ble Justice Mr. V.S. Dave at valedictory ceremony of 7th FYLC Ranka National Moot Court Competition



Hon'ble Justice Mr. Goverdhan Bardhar
Judge Rajasthan High Court



Hon'ble Justice Mr. NK Jain
Current chairman of Bar Council of Rajasthan
Former member of the Bar council of India
Former Member of Executive and governing council of National Law School of India University in 1986.

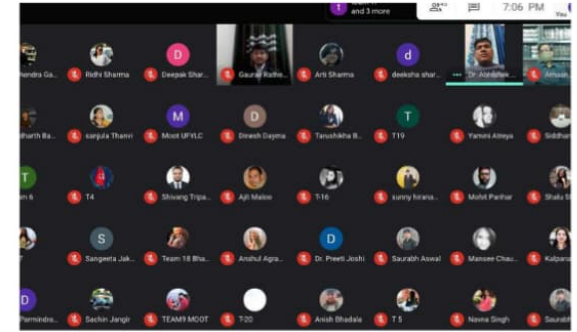
Glimpses From Previous Events at UFYLC



Hon'ble Justice Mr. J. K. Ranka
Retd. Judge Rajasthan High Court



Senior Advocate Mr. N.M. Ranka
Addressing at 6th FYLC Ranka National Moot Court
Competition



Inaugural Session
UFYLC ICMCC, 2020



Prof. Lad Kumari Jain, Former Chairperson RSWC
(Rajasthan State Women Commission) Addressing
At National Seminar "KARWW"



Winners of 7th FYLC Ranka National Moot Court
Competition



Advocate Rajeev Surana
UFYLC ICMCC

10TH FYLC – RANKA MEMORIAL NATIONAL MOOT COURT

COMPETITION, 2021

BY

"UNIVERSITY FIVE YEAR LAW COLLEGE, UNIVERSITY OF RAJASTHAN"

**IN THE HON'BLE NATIONAL COMPANY LAW
APPELLATE TRIBUNAL OF JINLAND**

IN THE MATTER OF :-

COMPETITION APPEAL NO. 1 OF 2021

MR. PRICKLEPANTSPVT. LTD

VERSUS

...APPELLANT

ANTI-TRUST COMMISSION OF JINLAND& ORS.

...RESPONDENTS

MOOT PROBLEM

*“Our role is to maintain & monitor a frame work
in which fair competition can flourish”*

By-Arthur Levitt

*“People of the same trade seldom meet together,
even for merriment and diversion, but the
conversation ends in a conspiracy against the
public, or in some contrivance to raise prices.”*

By-Adam Smith

ABOUT JINLAND

Jinland is a multicultural nation equipped with a cultural outlook with civilization, where the inhabitants belonging to different ethics backgrounds, speak different languages and practice different religious faiths. It is located in the South Asian Region of Asia, which has 29 States and 7 Union Territories. At present, Jinland is ranked the seventh largest economy, and third largest in terms of Purchasing Power Parity (PPP). Jinland's GDP is pegged at \$ 3 tn. guided by unwavering democratic credentials and strong government leadership, Jinland is an emerging superpower with a vibrant economic climate.

ABOUT ANTI-TRUST COMMISSION OF JINLAND:

Anti-trust Commission of Jinland (hereinafter referred as “Commission” in short) is the best means of ensuring that the Common Man has access to the widest range of goods and services at the most competitive prices. With increased competition, producers will have maximum motivation to innovate and specialize. This would result in reduced costs and wider choice to consumers. A fair competition in market is essential to achieve this objective. Goal of the Commission is to create and sustain fair competition in the economy that will provide a ‘level playing field’ to the producers and make the markets work for the welfare of the consumers. The objectives of the act are sought to be achieved through the Commission. It is the duty of the commission to eliminate practices having adverse effect on competition, promote and sustain competition, protect the interests of consumers and ensure freedom of trade in the markets of Jinland. The Commission is also required to give opinion on competition issues on a reference received from a statutory authority established under any law and to undertake competition advocacy, create public awareness and impart training on competition issues.

FACTS:-

Jinland as a developing nation at the international platform became the source for out-sourcing the various services in the field of IT, medical, marketing, production, etc. among the countries, MNCs and various organizations. Due to which, in present era people of Jinland are not able to give proper care and time to their children for their good mental and physical growth. Most of them take support of new high-tech electrical toys for their children to show their love and affection rather than spending time with them.

In Jinland, Mr. Pricklepants Pvt Ltd., Slinky Pvt. Ltd., Sheriff Woody Pvt. Ltd. and #Fantuooos Pvt. Ltd. holds major share in toy industry which can easily influence/fix the prices of toys in the market of Jinland. Being major shareholders in the toy industry the aforesaid companies formed a cartel for fixing the prices with a goal of gaining maximum profit and to eliminate the small manufactures from the toy industry.

On 1.01.2021, the Antitrust Commission of Jinland initiated a Suo Moto investigation based on a leniency application (LPA) filed by Mr. Pricklepants Pvt. Ltd. under the Anti-trust Commission of Jinland (Lesser Penalty) Regulation, 2015. By way of the LPA, Mr. Pricklepants Pvt. Ltd. submitted that there were exchanges of information relating to sales, production and marketing of the high-tech electrical toys among Slinky Pvt. Ltd., SheriffWoody Pvt. Ltd. and #Fantuooos Pvt. Ltd. Subsequently, Sheriff Woody Pvt. Ltd. and other companies also filed an LPA disclosing further evidences of information exchange. The details of information furnished by the aforesaid companies are herein below :-

Mr. Pricklepants Pvt. Ltd. 1 LPA Filed	Slinky Pvt. Ltd. 2 LPA Filed	Shriff Woody Pvt. Ltd. 3 LPA Filed	#Fantuooos Pvt. Ltd. 4 LPA Filed
Simple Information	Documents showing gain after Cartelization	Emails and Communication Details	Messages

The DG conducted an investigation and concluded that Mr. Pricklepants Pvt Ltd., SlinkyPvt. Ltd., SheriffWoody Pvt. Ltd. and #Fantuooos Pvt. Ltd. through association used to share sales, production and marketing data regarding all types of high-tech electrical toys on a half yearly basis, which enabled them to monitor inter se market share in the organized market of high-tech electrical toys in Jinland. The DG also came across instances where exchange of commercially sensitive information took place, which includes information relating to pricing, wholesale pricing, margins, promotional schemes and launch of new products. It was also noticed that various drafts of proposed press releases which contemplated price increase measures by Mr. Pricklepants Pvt Ltd., Slinky Pvt. Ltd., Sheriff Woody Pvt. Ltd. and #Fantuooos Pvt. Ltd

However, contrary to the DG’s findings, the Anti-trust Commission of Jinland observed that the exchange of data relating to sales, production and marketing of high-tech electrical toys indicated a possibility of collusion and it could be considered as a ‘plus factor’. The Anti-trust commission of Jinland observed that the mere fact that certain information was exchanged does not by itself constitute enough evidence to conclude that the opposite parties were acting in a coordinated manner.

Interestingly, the Anti-trust Commission of Jinland observed that while the evidence collected by the DG suggested exchange of commercially sensitive information, it did not establish that the opposite parties agreed upon the actual terms of increasing or determining prices, even the price discussion among the opposite parties did not categorically establish that they fixed prices.

Accordingly, the Anti-trust Commission of Jinland concluded that while there was evidence of exchange of sales, production and marketing data, draft press release, price information, commercially sensitive information amongst the concerned parties, indicating a possibility of collusion. On the other hand it was also observed by Anti-trust commission of Jinland that there was insufficient evidence to establish that such activities resulted in price fixing which reduces strategic uncertainty, independence of competitors’ conduct on the market and diminishes their incentives to compete, thereby facilitating collusion.

On 1 February, 2021, the Antitrust Commission of Jinland by way of its order found Mr. Pricklepants Pvt. Ltd., Slinky Pvt. Ltd., Sheriff Woody Pvt. Ltd. and #Fantuooos Pvt. Ltd. alleged cartelization in the high-tech electrical toys market and imposed following penalties on the aforesaid companies which has to be deposited within one month from the date of order to the Registrar of the Anti-trust Commission of Jinland:

Mr. Pricklepants Pvt. Ltd.	Slinky Pvt. Ltd.	Shriff Woody Pvt. Ltd.	#Fantuooos Pvt. Ltd.
1 Crore	1 Lakhs	NIL	5 Lakhs

Hence, aggrieved by the order dated 01.02.2021 passed by the Anti-trust Commission of Jinland, appeal is filed by the petitioner before the Hon’ble National Company Law Appellate Tribunal of Jinland for the adjudication of the issues raised in pursuance of the scheme laid down by the legislature in respect to the lesser penalty provision in the statute.

Taking into consideration the issue raised by the petitioner in the present appeal the Hon’ble National Company Law Appellate Tribunal of Jinland issued notice to the respondents. Meanwhile, operation of the impugned order dated 01.02.2021 passed by the Anti-trust Commission of Jinland be stay.

The Hon’ble National Company Law Appellate Tribunal of Jinland also directed the registry to list the matter again on May 28, 2021 for final disposal. Parties are requested to remain present through VC for final hearing.

IN THE PRESENT APPEAL FOLLOWING QUESTION OF LAW ARE BEFORE THE HON’BLE NATIONAL COMPANY LAW APPELLATE TRIBUNAL OF JINLAND FOR ADJUDICATION::

- 1) Whether the present appeal filed by the Petitioner before the Hon’ble National Company Law appellate Tribunal of Jinland is maintainable?
- 2) Whether the penalty imposed by the Anti-Trust Commission of Jinland under the scheme of lesser penalty provision is justified or not?
- 3) Whether the evidence(s) provided to the DG for investigation of the cartelization between the petitioner and other companies make the petitioner company entitled for lesser penalty or not?

~ Both parties (Petitioner and Respondents) are required to Raise one additional issue of their choice (Compulsory).

NOTE:-

- Participants are requested to argue on the side of the Petitioner as well as on the side of the Respondent before the “Hon’ble National Company Law Appellate Tribunal of Jinland” pertaining to the above case and further elucidate their arguments with appropriate case laws and inputs.
- The laws of Jinland are pari materia with laws of India and Jinland considers the leading common law precedents as being highly persuasive. Hence, all the relevant ancient, modern, texts of Indian law may be referred for arguing the case.
- This Moot Problem has been formulated solely for the purpose of this competition for furthering the academic exercise only.

ADMINISTRATION & GENERAL RULES

AND REGULATIONS

COMPETITION GUIDELINES

A. GENERAL

1. Aim and Purpose

(a) To acquaint students pursuing law with integration of advocacy, judicial system and emerging trends in the court system in India and to hone their advocacy skills.

(b) To provide a real life experience cum training in undertaking cutting edge research, presentation of impactful arguments and contributing to the development of jurisprudence in concerned areas of law.

2. Date & Venue

4th - 6th June, 2021

(Online mode)

3. Structure of the Competition

(a) This Competition shall comprise two stages.

(b) Stage I: Memorial Elimination Round - This shall be open to all teams which register for the Competition. The results of this round shall be based on evaluation of memorials and top 24 (scorers)teams will proceed to Stage II.

(c) Stage II: Oral Rounds - The teams which qualify Stage I shall be eligible to participate in the Oral Rounds which shall comprise of Preliminary Rounds and Advanced Rounds viz. Quarter Finals, Semi Finals and Final.

(d) Researcher Test: There shall be a Researcher Test. Details for the Researcher Test will be revealed only after selection of top twenty four teams after memorial elimination.

4. Team Composition and Eligibility Criteria

(a) Each team shall comprise of three (3) members ONLY out of which two (2) will be speakers and one (1) Researcher.

(b) Arguments shall be in English only.

(c) Competition is open for students pursuing Five Year Integrated and Three Year LL.B. courses.

(d) Teams should not disclose the identity of their institution during the course of proceedings in the court rooms or in their memorial; such disclosure shall invite penalties which may include disqualification.

(e) Each team shall be provided with the team code at the time of registration.

5. Registration

(a) The Registration form including all details of the respective teams must be submitted through the following google form on or before **5th May, 2021** .

The registration form can be accessed here : https://docs.google.com/forms/d/1818_SodyATQIhrOZ7wg_laNEGBP_UyOtBygs81uVvKec/edit?usp=drivesdk

(b) Team Codes will be provided at the time of registrations, the same shall be mentioned on memorials and they shall also be used as usernames for virtual courtrooms.

(c) All the teams must provide their account details (only those details which are required to transfer money to your account) including account number and ifsc code. In case these details are wrong then it shall be the sole responsibility of team members for all the consequences arising thereof.

(d) No change in the names of the participants shall be permitted after the receipt of the Registration Form, except at the sole discretion of the Organizers.

(e) Teams should clearly mention the participants' name, contact number, including year/semester of study.

(f) Permission to participate from the Institution of the participants is required.

(g) While filling the online Registration Form, the teams have to choose a primary contact person. All communications concerning the Competition will be sent by an e-mail to the nominated contact person. It is that person's responsibility to convey and distribute all relevant information to the team.

6. Payment of Registration Fee -

(a) All the teams shall be required to make a payment of INR 1000 via online transfer /RTGS/(NEFT)/ UPI before **5th May, 2021** (11:59 P.M. IST) in order to register for Stage I. Details of the same must also be attached to the registration form for Stage I. (Link Attached)

(b) Teams that qualify Stage I, i.e. the Memorial Elimination Round shall be required to make a payment of INR 2000 via an online transfer (NEFT) on or before **25th May 2021 (11:59 P.M. IST)**. Details of the same must be attached to the Registration form for Stage II sent to the teams qualifying Stage I on or before **25th May 2021 (11:59 P.M. IST)**.

(c) The Registration form for Stage II shall be provided after the declaration of Result of Stage I.

(d) **Details of Online Payment: (NEFT/ RTGS/ UPI)**

Name of the Beneficiary: DIRECTOR FIVE YEAR LAW COLLEGE UOR UFYLC BUILDING UOR

Bank Name: UCO BANK

Branch Name: UCO BANK, UNIVE, JLN MARG JAIPUR 302004

Account No: 20270110000281

IFSC Code: UCBA0002027

TENTATIVE DATES

Commencement of Online Registration for Stage I	20 April 2021
Last date for Online Registration soft copies of Reg. Form / Approval letter and online payment Receipt of Stage-I	5 May 2021
Last date for seeking clarifications of Problem	10 May 2021
Last Date for Submission of Memorials (Soft Copy in word format and PDF format both)	20 May 2021
Declaration of Result of Stage I (Memorial Elimination Rounds) and Commencement of Registration for Stage II	23 May 2021
Last Date for Re-registration for Stage II	25 May 2021
Inaugural Session	3 June 2021
Draw of Lots and Exchange of Memorial for Preliminary Rounds	3 June 2021
Preliminary Rounds (I and II)	4 June 2021
Quarter Final and Semi-Finals Rounds	5 June 2021
Researcher Test (All 24 Teams)	5 June 2021
Final Rounds, Valediction & Prize distribution	6 June 2021

B. STAGE I (MEMORIAL ELIMINATION ROUND)

1. General Procedure

(a) Every team which has registered for the competition is required to prepare two memorials:

- i. Memorial on behalf of the Appellant
- ii. Memorial on behalf of the Respondent

(b) All teams are required to send soft copies of their memorials for Stage I: Memorial Elimination Round before **20th May 2021 (11:59 P.M. IST)** to <mootufylc@gmail.com> with the Subject “**Memorials (Team Code) – RANKA FYLC MOOT COURT 2021**”.

(c) A penalty of 1 point per day shall be imposed for any submission made post the deadline specified.

(d) Memorials submitted 2 days beyond the deadline specified shall not be evaluated.

(e) The memorials which are submitted for Stage I shall be considered final throughout the competition.

Note:

i) **No hard copy of the memorials are to be sent to the organizers.**

ii) **Memorials shall be submitted with following file names:**

For Appellant : TC <team Code> A

For Respondent: TC <team Code> R

For Example: TC 34 A, T C 34 R

2. Composition of Memorial

(a) The memorials must fulfill all the following specifications:

- Cover page / Cause title.
- Table of Contents
- List of Abbreviations
- Index of Authorities
- Statement of Jurisdiction
- Statement of Facts
- Issues Raised (Additional Issues, if any)
- Summary of Arguments
- Argument Advanced
- Prayer

3. Format of Memorial

(a) The Memorials (Appellant and Respondents) must be **submitted in Microsoft Word Document format (.doc/.docx) as well as PDF Format (.pdf)**. Non-compliance shall result in a penalty of 3 points.

(b) The memorial shall not be of more than forty (40) pages and the Argument Advanced shall not exceed more than twenty five (25) pages. Non-compliance shall result in a penalty of 1 point for every additional page.

(c) The citation format should follow the 4th Edition of OSCOLA accessed on <https://www.law.ox.ac.uk/sites/files/oxlaw/oscola_4th_edn_hart_2012.pdf> Non-compliance shall result in a penalty of .25 point for each error.

(d) All pages of the Memorial must be of A4 size, with 1-inch margin on each side. The font style and size of the text of all parts of the Memorial shall be Times New Roman, size 12, 1.5-line spacing. The Footnotes shall be in Times New Roman, size 10, single (1) line spacing.

Non-compliance shall result in a penalty of .25 point for each page.

(e) The Memorial must not contain any Annexure/Photographs/ Sketches/Exhibits/Affidavits etc.

(f) Team Code shall be mentioned on the top right corner of the Memorial.

4. Marking Criteria of Memorials

(a) Memorials from each side shall carry a total of hundred (100) marks.

(b) Following shall be the criteria for marking of the memorials:

Sr. No.	Marking Criteria	Marks Allocated
1.	Knowledge of Facts	10
2.	Knowledge of Law	10
3.	Proper and Articulate Analysis	10
4.	Originality	10
5.	Grammar and Style	10
6.	Correct Format and Citation	10
7.	Extent and Use of Research	20
8.	Clarity and Organization	20
TOTAL :		100

5. Result of Stage I and Registration for Stage II

(a) After evaluation of the memorials submitted, the top 24 teams on the basis of their total scores in Stage I shall qualify for Stage II.

(b) The results of Stage I shall be declared on **23rd May 2021**.

(c) The teams that qualify Stage I will be required to register themselves for Stage II by filling the registration form on or before **25th May 2021 (11:59 P.M. IST)**.

(d) If the qualifying teams fail to register themselves for Stage II within the timeline specified, invitations to other teams will be issued on the basis of the scores of Stage I by **27th May 2021**.

(e) The registration fees for Stage II shall be INR 2000. Details of the registration for Stage II will be shared with the qualifying teams after the declaration of result of Stage I.

C. STAGE II : ORAL ROUNDS

1. General Procedure for Oral Proceedings

- (a) Only the top 24 teams in terms of aggregate marks of memorials will qualify for this round.
- (b) The oral rounds shall be conducted online. The details of the online platform will be notified to the teams qualified for Stage II after the declaration of result for Stage I.
- (c) There shall be two preliminary rounds, quarter finals, semi finals and a final round spreading over a period of 3 days.
- (d) Memorial exchange will be done through email with the help of the organizing committee after a virtual draw of lots.

2. Dress Code

- (a) Inside the virtual courtrooms, the participants shall follow the below mentioned dress code.
 - (i) Females: White Salwar Kurta & Dupatta or White Shirt and Black Trousers along with Black Coat and Tie.
 - (ii) Males: White Shirt, Black Trousers, Black Tie along with Black Coat.
- (b) Non compliance of this rule shall attract the penalty.

3. Preliminary Rounds

- (a) In preliminary rounds each team shall argue from both the sides (appellant and respondent).
- (b) No team shall face each other more than once in the preliminary rounds.
- (c) TOP EIGHT (8) teams will qualify for the quarter finals on the basis of the marks of the preliminary rounds
- (d) Teams shall be credited with a win in a preliminary round if their round total is more than the opposing team.
- (e) The marks of each preliminary round shall be the cumulative total of the marks of both the speakers.
- (f) The following criteria shall be observed in deciding teams which are to move in quarter-finals.
 - (i) The top eight (8) teams that have TWO wins in preliminary rounds shall proceed to the quarter final.
 - (ii) In case less than 8 teams are able to score two wins then teams that have 1:1 win loss ratio shall advance to quarter finals based on (merit) their higher aggregate score in the Preliminary Rounds.
 - (iii) Teams that have TWO wins shall be given preference over those which have 1 win.
 - (iv) In case of a tie between two or more teams, the aggregate total of the score of oral submissions of the speakers and their respective memorials shall be taken into consideration.

4. Quarter Final Rounds

- (a) Eight (8) teams shall compete in the quarter final.
- (b) It shall be a knockout round. The winner team of each round shall move to the semi- finals. Four (4) teams shall move to the semi-final round.
- (c) Marking in this round will aggregate the total of the marks of both the speakers.
- (d) In case of tie between teams, in the quarter final round, the aggregate total of the marks of memorials (appellant or respondent) of the teams shall be counted. Team with the highest marks moves ahead.

4. Semi Final Rounds Final Rounds

- (a) Four (4) teams shall compete in semi finals.
- (b) It shall be a knockout round. The winner of each round shall move to the Final Round.
- (c) The calculation of final marking in this round will be done through the aggregate total of the marks of both the speakers.
- (d) In case of tie between teams, in semi finals, the aggregate total of the marks of memorials (appellant or respondent) of the teams shall be counted along with the marks of oral submissions. Team with the highest marks will qualify for the final round.
- (e) There shall be one (1) FINAL ROUND.
- (f) The marking criteria in Final Round is same as that of semi final rounds

D. STAGE II : ORAL SUBMISSION

1. Preliminary Rounds

- (a) Each Preliminary Round of the Competition shall consist of sixty (60) minutes of Oral Pleadings.
- (b) Each team will have a maximum of thirty (30) minutes to present their Oral Submissions in Preliminary Rounds. This includes the time the speaker addresses the Court as well as time taken during their rebuttal/surrebuttal.
- (c) No single Speaker shall plead for more than Seventeen (17) minutes. At the commencement of each session of Oral Submissions each team shall notify the Court Officer as to the division of time between the 2 speakers.
- (d) The maximum time for rebuttal/surrebuttal is five (5) minutes.
- (e) The final decision as to the time structure and the right to rebuttal/sur-rebuttal will be that of the Bench/Judges

3. Quarter Final, Semi Final Rounds Final Rounds

- (a) The maximum time allotted in quarter finals, semi finals and final shall be forty five (45) minutes for each team. This includes the time the speaker addresses the court during rebuttal/surrebuttal.
- (b) No Speaker shall be allowed to address the court for more than twenty-five (25) minutes. At the commencement of each session of Oral Submissions, each team must notify the Court Officer of the period of time that team wishes to reserve for their rebuttal/surrebuttal.
- (c) A maximum of 5 minutes can be reserved for the rebuttal/surrebuttal.
 - (d) If any speaker continues to speak after the completion of his/her time, he/she shall entail penalty which will be on the discretion of the judges.
 - (e) The final decision as to the time structure and the right to rebuttal/surrebuttal will be that of the Bench/Judges.
 - (f) During the course of oral submissions, the participants will not be permitted to submit any material containing pictorial representation whatsoever.
 - (g) Speakers shall not be allowed to present annexures to the judges during virtual proceedings; teams may make a compendium of annexure and submit it by 26 May'21. Same will be given to the judges before the commencement of the proceedings.
 - (h) If at any instance a submission is made with any material in violation to the above clause and if any picture, sketches, photos, cartoons, caricatures, audio film, video film, projector-slide or a computer generated image is submitted or presented court, the teams shall be disqualified from the competition forthwith.

(i) During the course of the Oral Submissions, no speaker shall reveal his/her identity nor the identity of their University / College by any means whatsoever

3. Marking Criteria for the Oral Rounds

(a) Each Speaker will be marked on a total of 100 marks by each Judge.

(b)The following will be the Marking Criteria for each Speaker:-

Serial. No.	Marking Criteria	Marks Alloted
1.	Appreciation and Application of Facts	10
2.	Identification and Articulation of Issues	10
3.	Application of legal principles	10
4.	Use of authorities and precedents	10
5.	Response to questions	10
6.	Presentation skills	10
7.	Clarity of thoughts and logical structure of Arguments	10
8.	Poise and Demeanor	10
9.	Strategy	10
10.	Ingenuity	10
	TOTAL :	100

(c) The decision of the judges (in marks allocation) will be final.

E. Awards

(a) **Winning Team Award:**

The winning team will receive a Certificate and a cash prize of 15,000/-.

(b)**Runners-Up Award:**

The 1st Runners up will get a certificate and a cash prize of 11,000/-.

(c) **Memorial Award:**

The best Memorial will receive a certificate and a cash prize of 6000/-.

(c) **Best Student Advocate:**

Best Student Advocate- Appellant will get a Certificate and a cash prize of 4,000/-.

Best Student Advocate- Respondent will get a Certificate and a cash prize of 4,000/-.

(d) **Best Student Researcher will receive a Certificate and a cash prize of 4,000/-.**

(e) **Certificate for participation will be given to all the participants**

F. MISCELLANEOUS

(a)Neither any team or nor anyone connected with any team will be permitted to hear the arguments in any court room (virtual) in which that team is not one of the contesting teams.

(b)If there is any dispute in regard to the interpretations of the rules or with respect to any matter related to the competition, which is not contemplated in the rules, the decision of the Organizers shall be binding and final.

(c) It shall be the sole responsibility of teams to access good internet connections, teams shall be responsible solely for their bad internet connectivity.

(d) *In case of any unfair means, the discretion of disqualifying the team will lie with the organizers of the moot court competition.*

(e) *In case of conflict, Rules and regulation laid under Rules and regulations document shall prevail over the Brochure.*

Note: Any dispute regarding the competition or any matter related to the interpretation of the Rules and Regulations shall be referred to the Moot Court Committee and the decisions of the Committee shall be final.

**ALL THE
BEST!**

CHIEF PATRON

Prof. Rajeev Jain, Hon'ble Vice Chancellor, University of Rajasthan, Jaipur

PATRON (FYLC RANKA MOOT COURT COMPETITION)

Ms. Urmilla Ranka, Chairperson Ranka Public Charitable Trust

Hon'ble Justice Mr. J. K. Ranka, Former Judge Rajasthan High Court

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Dr. Preeti Joshi

CONVENER

Mr. Gaurav Rathore

CO-CONVENOR

Mr. Ganesh Meena

Ms. Tarushika Balodia

Mr. Anish Bhadala

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Ms. Arti Sharma

Ms. Deeksha Sharma

Mr. Surendra Meena

STUDENT CO-ORDINATOR

Mr. Rishi Kumar Meena Mob.: 9664068112

MEMBERS, ORGANISING COMMITTEE

Dr. Priyanka Khetan

Dr. Priyanka Joshi

Ms. Shatakshi Johri

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UNIVERSITY OF RAJASTHAN
राजस्थान विश्वविद्यालय



**10th FYLC, Ranka National
Moot Court
Competition, 2021
4th - 6TH JUNE, 2021**

UNIVERSITY OF RAJASTHAN,
JAIPUR

**10TH FYLC – RANKA NATIONAL MOOT COURT
COMPETITION, 2021**

BY
UNIVERSITY FIVE YEAR LAW COLLEGE, UNIVERSITY OF RAJASTHAN
and
RANKA PUBLIC CHARITABLE TRUST

**IN THE HON'BLE NATIONAL COMPANY LAW APPELLATE
TRIBUNAL OF JINLAND**

COMPETITION APPEAL NO. 1 OF 2021

IN THE MATTER OF:-

IN THE MATTER OF:

MR. PRICKLEPANTS PVT. LTD

...APPELLANT

VERSUS

ANTITRUST COMMISSION OF JINLAND & ORS.

...RESPONDENTS

MOOT PROBLEM

“Our role is to maintain & monitor a framework in which fair competition can flourish”

By-Arthur Levitt

“People of the same trade seldom meet together, even for merriment and diversion, but the conversation ends in a conspiracy against the public, or in some contrivance to raise prices.”

By-Adam Smith

ABOUT JINLAND:-

The Jinland is a multicultural nation equipped with a cultural outlook with civilization, where the inhabitants belong to different ethical backgrounds, speak different languages and practice different religious faiths. The Jinland is located in the South Asian Region, which has 28 States and 8 Union Territories. At present, Jinland is ranked the seventh largest economy, and third largest in terms of Purchasing Power Parity (PPP). The Jinland economy's GDP is pegged at \$ 3 tn. Guided by unwavering democratic credentials and strong government leadership, Jinland is an emerging superpower with a vibrant economic climate.

ABOUT ANTITRUST COMMISSION OF JINLAND:-

Antitrust Commission of Jinland (hereinafter referred as “Commission” in short) is an

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Authority established under the Competition Act, 2002 with the goal of ensuring that the consumer has access to the broadest range of goods and services at the most competitive prices. With increased competition, producers will have maximum incentive to innovate and specialize. This would result in reduced costs and wider choice to consumers. A fair competition in market is essential to achieve this objective. Goal of the Commission is to create and sustain fair competition in the economy that will provide a 'level playing field' to the producers and make the markets work for the welfare of the consumers. The objectives of the Act are sought to be achieved through the Commission. It is the duty of the Commission to eliminate practices having adverse effect on competition, promote and sustain competition, protect the interests of consumers and ensure freedom of trade in the markets of Jinland. The Commission is also required to give opinion on competition issues on a reference received from a statutory authority established under any law and to undertake competition advocacy, create public awareness and impart training on competition issues.

FACTS:-

Jinland as a developing nation at the international platform has become the hub for out-sourcing the various services in the field of IT, medical, marketing, production etc. between the countries, MNCs and various organizations. Due to the busy schedule and odd working hours, parents of Jinland are not able to give proper time and care to their children. There has been an increased dependence on newly *high-tech electrical toys* for their children to show their love and affection in place of spending time with them for their good physical and mental growth.

In Jinland, *Mr. Pricklepants Pvt Ltd., Slinky Pvt. Ltd., Sheriff Woody Pvt. Ltd. And #Fantuooos Pvt. Ltd.* occupies a major share in the market as toys manufacturers. Due to their influence in the market, they can easily affect the prices of toys in the market of Jinland. Being a major shareholder in the toys market the aforesaid companies formed a cartelization for fixing the prices with a goal of gaining maximum profit and to out the small manufactures from the toys market.

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On 1.01.2021, the *Antitrust Commission of Jinland* initiated a *Suo Motu* investigation based on a leniency application (LPA) filed by *Mr. Pricklepants Pvt. Ltd.* under, the *Antitrust Commission of Jinland (Lesser Penalty) Regulation, 2015*. By way of the LPA, *Mr. Pricklepants Pvt. Ltd.* submitted that there were exchanges of information relating to sales, production and marketing of the *high-tech electrical toys* among itself and *Slinky Pvt. Ltd.*, *Sheriff Woody Pvt. Ltd.* and *#Fantuooos Pvt. Ltd.* Subsequently, *Sheriff Woody Pvt. Ltd.* and other companies also filed an LPA disclosing further evidence of information exchange. The details of information furnished by the aforesaid companies are herein below:-

Mr. Pricklepants Pvt. Ltd.	Slinky Pvt. Ltd.	Sheriff Woody Pvt. Ltd.	#Fantuooos Pvt. Ltd.
1 LPA Filed	2 LPA Filed	3 LPA Filed	4 LPA Filed
Simple Information	Documents showing gain after cartelization	Emails and communication details	Messages

The DG conducted an investigation and concluded that *Mr. Pricklepants Pvt Ltd.*, *Slinky Pvt. Ltd.*, *Sheriff Woody Pvt. Ltd.* And *#Fantuooos Pvt. Ltd.* through association used to share sales, production and marketing data of all types of *high-tech electrical toys* on a half yearly basis, which enabled them to monitor *inter se* market share in the organized market of *high-tech electrical toys* in Jinland. The DG also came across instances of exchange of commercially sensitive information, including in relation to pricing, wholesale pricing, margins, promotional schemes and launch of new products. The DG also came across various drafts of proposed press releases which contemplated price increase measures by *Mr. Pricklepants Pvt Ltd.*, *Slinky Pvt. Ltd.*, *Sheriff Woody Pvt. Ltd.* And *#Fantuooos Pvt. Ltd.*

However, contrary to the DG's findings, the *Antitrust Commission of Jinland* observed that the exchange of data relating to sales, production and marketing of *high-tech electrical toys* indicated a possibility of collusion and could, at best, be considered as a 'plus factor'. The *Antitrust Commission of Jinland* observed that the mere fact that certain information was exchanged does not by itself constitute enough evidence to conclude that these firms were acting in a coordinated manner.

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Interestingly, the Antitrust Commission of Jinland observed that while the evidence collected by the DG suggested exchange of commercially sensitive information, it did not establish that the Opposite Parties agreed upon the actual terms of increasing or determining prices. As such, the Antitrust Commission of Jinland observed that even the price discussion among the Opposite Parties did not categorically establish that they fixed prices.

Accordingly, the *Antitrust Commission of Jinland* concluded that while there was evidence of exchange of sales, production and marketing data, draft press release, price information, commercially sensitive information amongst the concerned parties, indicating a possibility of collusion, there was insufficient evidence to establish that such activities resulted in price fixing which reduces strategic uncertainty, independence of competitors' conduct on the market and diminishes their incentives to compete, thereby facilitating collusion.

On 1st May, 2021, the *Antitrust Commission of Jinland* by way of its order found *Mr. Pricklepants Pvt Ltd., Slinky Pvt. Ltd., Sheriff Woody Pvt. Ltd.* and *#Fantuooos Pvt. Ltd.* alleged for cartelization in the *high-tech electrical toys* and imposed following penalties on the aforesaid companies which has to be deposited within one month from the date of order to the Registrar of the *Antitrust Commission of Jinland*:-

Mr. Pricklepants Pvt. Ltd.	Slinky Pvt. Ltd.	Shriff Woody Pvt. Ltd.	#Fantuooos Pvt. Ltd.
1 Crore	1 Lakhs	Nil	5 Lakhs

Hence, aggrieved by the order dated 01.05.2021 passed by the *Antitrust Commission of Jinland*, appeal is filed by the Petitioner before the *Hon'ble National Company Law Appellate Tribunal of Jinland* for the adjudication of the issues raised in pursuance of the scheme laid down by the legislature with respect to the lesser penalty provision in the statute.

Taking into consideration the issues raised by the Petitioner in the present appeal the *Hon'ble National Company Law Appellate Tribunal of Jinland* issued notice to the respondents.

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Meanwhile, operation of the impugned order dated 01.02.2021 passed by the *Antitrust Commission of Jinland* be stay.

The *Hon'ble National Company Law Appellate Tribunal of Jinland* also directed the registry to list the matter again on 1st June, 2021 for final disposal. Parties are requested to remain present through VC for final hearing.

In the present appeal following question of law are before the *Hon'ble National Company Law Appellate Tribunal of Jinland* for adjudication:-

- 1) Whether the present appeal filed by the Petitioner before the *Hon'ble National Company Law Appellate Tribunal of Jinland* is maintainable?
 - 2) Whether the penalty imposed by the *Antitrust Commission of Jinland* under the scheme of lesser penalty provision is justified or not?
 - 3) Whether the evidence(s) provided to the DG for investigation of the cartelization between the Petitioner and other companies make the Petitioner company entitled for lesser penalty or not?
- **Both parties (Petitioner and Respondents) are required to raise one additional issue of their choice (Compulsory).**

NOTE:-

- Participants are requested to argue on the side of the Petitioner as well as on the side of the Respondents before the “*Hon'ble National Company Law Appellate Tribunal of Jinland*” pertaining to the above case and further elucidate the arguments with appropriate case laws and inputs.
- The laws of Jinland are *pari materia* with laws of India. The Jinland considers the leading common law precedents as being highly persuasive. Hence, all the relevant ancient, modern texts of Indian law may be referred for arguing the case.

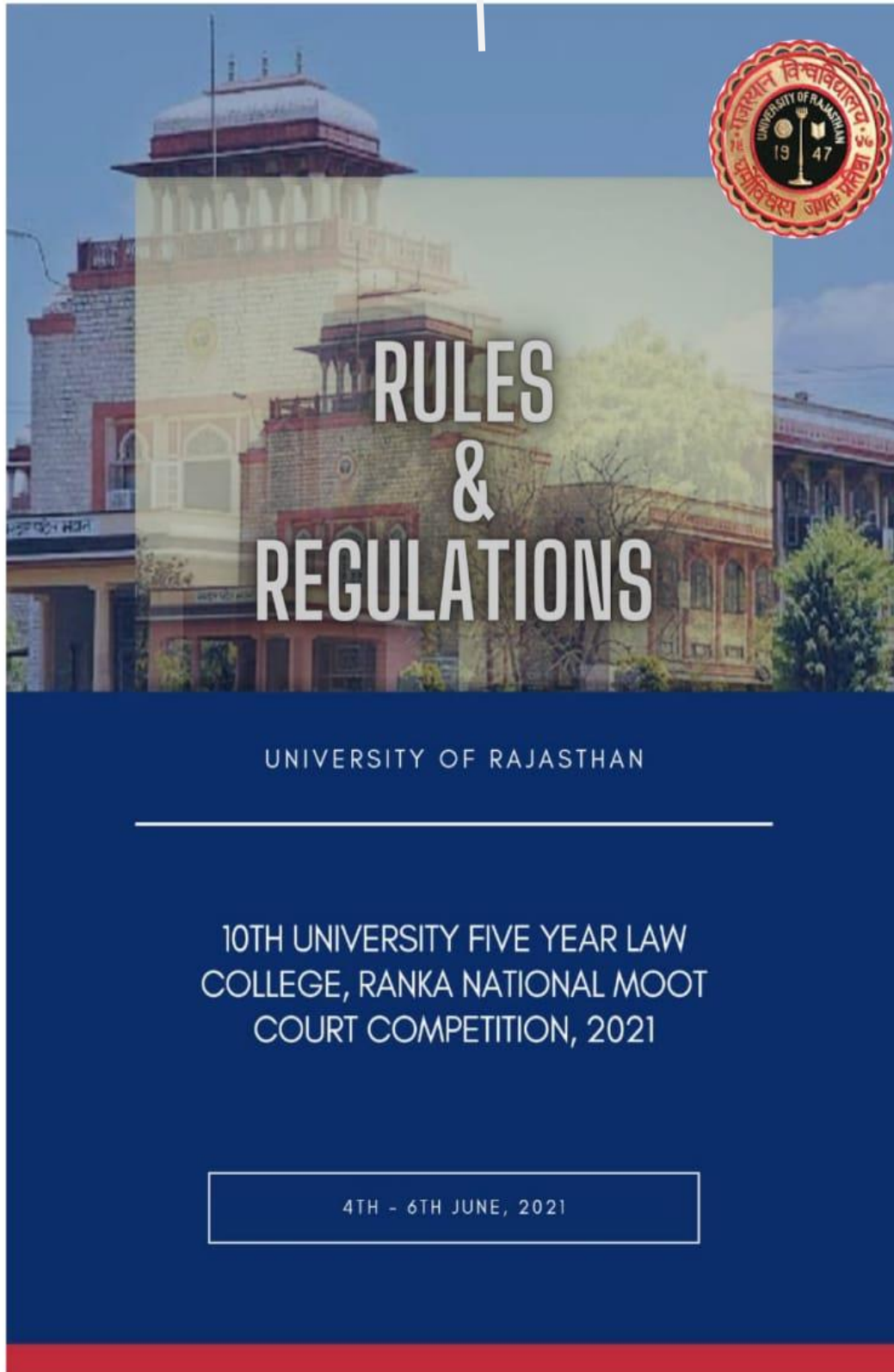
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- This Moot Problem has been formulated solely for the purpose of this competition for furthering the academic exercise only.



**RULES
&
REGULATIONS**

UNIVERSITY OF RAJASTHAN

10TH UNIVERSITY FIVE YEAR LAW
COLLEGE, RANKA NATIONAL MOOT
COURT COMPETITION, 2021

4TH - 6TH JUNE, 2021

Rules and Regulations

GENERAL

1. Aim and Purpose

- (a) To acquaint students pursuing law with integration of advocacy, Judicial System and emerging trends in the court system in India and to hone their advocacy skills.
- (b) To provide a real life experience cum training in undertaking cutting edge research, presentation of impactful arguments and contributing to the development of jurisprudence in concerned areas of law.

2. Date & Venue

04th-06th June, 2021 (**Online Mode**)

3. Structure of the Competition

- a) This Competition shall comprise two stages.
- b) **Stage I: Memorial Elimination Round** - This shall be open to all teams which register for the Competition. The results of this round shall be based on evaluation of memorials and top 24 (scorers) teams will proceed to Stage II.
- c) **Stage II: Oral Rounds** - The teams which qualify Stage I shall be eligible to participate in the Oral Rounds which shall comprise of Preliminary Rounds and Advanced Rounds viz. Quarter Finals, Semi Finals and Final.
- d) **Researcher Test**: There shall be a Researcher Test. **Details for the Researcher Test will be revealed only after selection of top twenty four teams after memorial elimination.**

4. Team Composition and Eligibility Criteria

- (a) Each team shall comprise of three (3) members **ONLY** out of which two (2) will be speakers and one (1) Researcher.
- (b) Arguments shall be in English only.
- (c) Competition is open for students pursuing Five Year Integrated and Three Year LL.B. courses.
- (d) Teams should not disclose the identity of their institution during the course of proceedings in the court rooms or in their memorial; such disclosure shall invite penalties which may include disqualification.
- (e) Each team shall be provided with the team code at the time of registration.

5. Registration

- a) The Registration form including all details of the respective teams must be submitted through the following Google form on or before **5th May, 2021**. The registration form can be accessed here https://docs.google.com/forms/d/1818_SodyATQIhrOZ7wg_IaNEGB_PUyOtBygs81uVvKec/edit?usp=drivesdk
- b) Team Codes will be provided at the time of registrations, the same shall be mentioned on memorials and they shall also be used as usernames for virtual courtrooms.
- c) All the teams must provide their account details (only those details which are required to transfer money to your account) including Account Number and IFSC code. In case these details are wrong then it shall be the sole responsibility of team members for all the consequences arising thereof.
- d) No change in the names of the participants shall be permitted after the receipt of the Registration Form, except at the sole discretion of the Organizers.
- e) Teams should clearly mention the participants' name, contact number, including year/semester of study.
- f) Permission to participate from the Institution of the participants is required.
- g) While filling the online Registration Form, the teams have to choose a primary contact person. All communications concerning the Competition will be sent by an e-mail to the nominated contact person. It is that person's responsibility to convey and distribute all relevant information to the team.

6. Payment of Registration Fee

- a) All the teams shall be required to make a payment of INR 1000 via online transfer /(NEFT/RTGS/UPI) before **5th May, 2021** (11:59 P.M. IST) in order to register for Stage I. Details of the same must also be attached to the registration form for Stage I.
- b) Teams that qualify Stage I, i.e. the Memorial Elimination Round shall be required to make a payment of INR 2000 via an online transfer (NEFT/RTGS/UPI) on or before **25th May 2021** (11:59 P.M. IST). Details of the same must be attached to the Registration form for Stage II sent to the teams qualifying Stage I on or before **25th May 2021** (11:59 P.M. IST).
- c) The Registration form for Stage II shall be provided after the declaration of Result of Stage I.
- d) **Details of Online Payment: (NEFT/ UPI/ RTGS)**

- e) **Name of the Beneficiary: DIRECTOR FIVE YEAR LAW COLLEGE UOR**
f) **Bank Name: UCO BANK**
g) **Branch Name: UNIVE, JLN MARG JAIPUR**
Account No: 20270110000281
IFSC Code: UCBA0002027

TENTATIVE DATES

Commencement of Online Registration for Stage I	20 April 2021
Last date for Online Registration soft copies of Reg. Form / Approval letter and online payment Receipt of Stage-I	5 May 2021
Last date for seeking clarifications of Moot Proposition	10 May 2021
Last Date for Submission of Memorials (Soft Copy in word format as well as PDF)	20 May 2021
Declaration of Result of Stage I (Memorial Elimination Round) and Commencement of Registration for Stage II	23 May 2021
Last Date for online payment and Registration for Stage II	25 May 2021
Inaugural Session	3 June 2021
Draw of Lots and Exchange of Memorial for Preliminary Rounds	3 June 2021
Preliminary Rounds (I and II)	4 June 2021
Quarter Final and Semi-Finals Rounds	5 June 2021
Researcher Test (All 24 Teams)	5 June 2021
Final Rounds, Valediction & Prize Distribution	6 June 2021

B. STAGE I : MEMORIAL ELIMINATION ROUND

1. General Procedure

- (a) Every team which has registered for the competition is required to prepare two memorials:
 - i. Memorial on behalf of the Appellant
 - ii. Memorial on behalf of the Respondent
- (b) All teams are required to send soft copies of their memorials for Stage I: Memorial Elimination Round before **20th May 2021** (11:59 P.M. IST) to <mootufylc@gmail.com> with the Subject “Memorials (Team Code) – RANKA FYLC MOOT COURT 2021”.
- (c) A penalty of 1 point per day shall be imposed for any submission made post the deadline specified.
- (d) Memorials submitted 2 days beyond the deadline specified shall not be evaluated.
- (e) The memorials which are submitted for Stage I shall be considered final throughout the competition.
- (f) Memorials must be submitted in MS Word format as well as PDF format.

Note: i) No hard copy of the memorials are to be sent to the organizers.

ii) Memorials shall be submitted with following file names:

For Appellant : TC <team Code> A

For Respondent: TC <team Code> R

For Example: TC 34 A, TC 34 R

2. Composition of Memorial

- (a) The memorials must fulfill all the following specifications:
 - Cover page / Cause title.
 - Table of Contents
 - List of Abbreviations
 - Index of Authorities
 - Statement of Jurisdiction
 - Statement of Facts
 - Issues Raised (Additional Issues, if any)
 - Summary of Arguments
 - Argument Advanced
 - Prayer

3. Format of Memorial

- (a) The Memorials (Appellant and Respondents) must be submitted in **Microsoft Word Document format (.doc/.docx) as well PDF format(.pdf)**. Non-compliance shall result in a penalty of 3 points.
- (b) The memorial shall not be of more than forty (40) pages and the Argument Advanced shall not exceed more than twenty five (25) pages. Non-compliance shall result in a penalty of 1 point for every additional page.
- (c) The citation format should follow the 4th Edition of OSCOLA accessed on <https://www.law.ox.ac.uk/sites/files/oxlaw/oscola_4th_edn_hart_2012.pdf> Non-compliance shall result in a penalty of .25 point for each error.
- (d) All pages of the Memorial must be of A4 size, with 1-inch margin on each side. The font style and size of the text of all parts of the Memorial shall be Times New Roman, size 12, 1.5-line spacing. The Footnotes shall be in Times New Roman, size 10, single (1) line spacing.
Non-compliance shall result in a penalty of .25 point for each page.
- (e) The Memorial must not contain any Annexure/Photographs/ Sketches/Exhibits/Affidavits etc.
- (f) The Team Code shall be mentioned in top write of the memorial.

4. Marking Criteria for Memorials

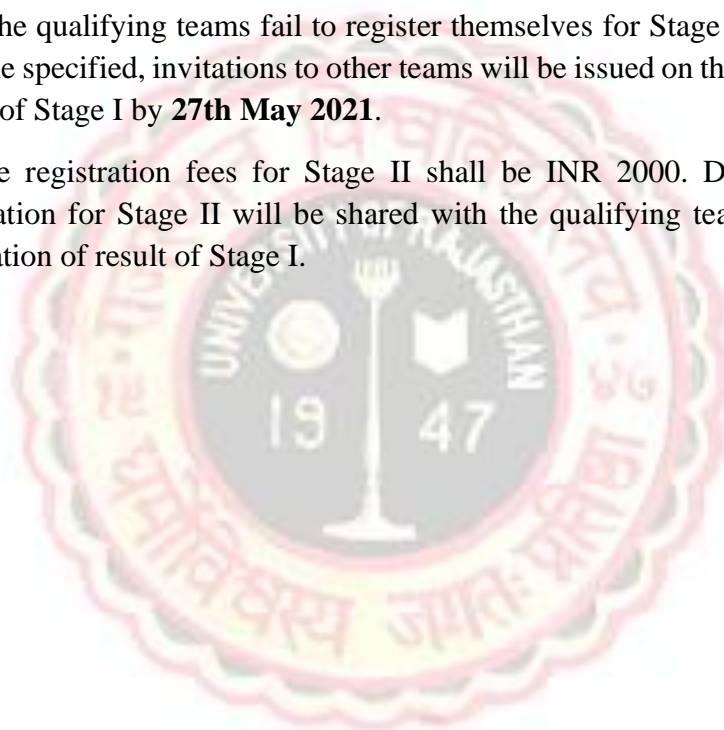
- (a) Memorials from each side shall carry a total of hundred (100) marks.
- (b) Following shall be the criteria for marking of the memorials:

Sr. No.	Marking Criteria	Marks allocated
1.	Knowledge of Facts	10
2.	Knowledge of Law	10
3.	Proper and Articulate Analysis	10
4.	Originality	10
5.	Grammar and Style	10
6.	Correct Format and Citation	10
7.	Extent and Use of Research	20

8.	Clarity and Organization	20
	TOTAL :	100

5. Result of Stage I and Registration for Stage II

- (a) After evaluation of the memorials submitted, the top 24 teams on the basis of their total scores in Stage I shall qualify for Stage II.
- (b) The results of Stage I shall be declared on **23th May 2021**.
- (c) The teams that qualify Stage I will be required to register themselves for Stage II by filling the registration form on or before **25th May 2021** (11:59 P.M. IST).
- (d) If the qualifying teams fail to register themselves for Stage II within the timeline specified, invitations to other teams will be issued on the basis of the scores of Stage I by **27th May 2021**.
- (e) The registration fees for Stage II shall be INR 2000. Details of the registration for Stage II will be shared with the qualifying teams after the declaration of result of Stage I.



C. STAGE II: ORAL ROUNDS

1. General Procedure for Oral Proceedings

- (a) Only the top 24 teams in terms of aggregate marks of memorials will qualify for this round.
- (b) **The oral rounds shall be conducted online.** The details of the online platform will be notified to the teams qualified for Stage II after the declaration of result for Stage I.
- (c) There shall be two preliminary rounds, quarter finals, semi finals and a final round spreading over a period of 3 days.
- (d) Memorial exchange will be done through email with the help of the organizing committee after a virtual draw of lots.

2. Dress Code

- (a) Inside the virtual courtrooms, the participants shall follow the below mentioned dress code.
 - (i) **Females:** White Salwar Kurta & Dupatta or White Shirt and Black Trousers along with Black Coat and Tie.
 - (ii) **Males:** White Shirt, Black Trousers, Black Tie along with Black Coat.
- (b) Non compliance of this rule shall attract the penalty.

3. Preliminary Rounds

- (a) In preliminary rounds each team shall argue from both the sides (appellant and respondent).
- (b) No team shall face each other more than once in the preliminary rounds.
- (c) TOP EIGHT (8) teams will qualify for the quarter finals on the basis of the marks of the preliminary rounds
- (d) Teams shall be credited with a win in a preliminary round if their round total is more than the opposing team.
- (e) The marks of each preliminary round shall be the cumulative total of the marks of both the speakers.
- (f) The following criteria shall be observed in deciding teams which are to move in quarter-finals.
 - (i) The top eight (8) teams that have TWO wins in preliminary rounds shall proceed to the quarter final.
 - (ii) In case less than 8 teams are able to score two wins then teams that have 1:1 win loss ratio shall advance to quarter finals based on (merit) their higher aggregate score in the Preliminary Rounds.

- (iii) Teams that have TWO wins shall be given preference over those which have 1 win.
- (iv) In case of a tie between two or more teams, the aggregate total of the score of oral submissions of the speakers and their respective memorials shall be taken into consideration.

4. Quarter Final Rounds

- (a) Eight (8) teams shall compete in the quarter final.
- (b) It shall be a knockout round. The winner team of each round shall move to the semi- finals. Four (4) teams shall move to the semi-final round.
- (c) Marking in this round will aggregate the total of the marks of both the speakers.
- (d) In case of tie between teams, in the quarter final round, the aggregate total of the marks of memorials (appellant or respondent) of the teams shall be counted. Team with the highest marks moves ahead.

5. Semi Final Rounds and Final Round

- (a) Four (4) teams shall compete in semi finals.
- (b) It shall be a knockout round. The winner of each round shall move to the Final Round.
- (c) The calculation of final marking in this round will be done through the aggregate total of the marks of both the speakers.
- (d) In case of tie between teams, in semi finals, the aggregate total of the marks of memorials (appellant or respondent) of the teams shall be counted along with the marks of oral submissions. Team with the highest marks will qualify for the final round.
- (e) There shall be one (1) **FINAL ROUND**.
- (f) The marking criteria in Final Round is same as that of semi final rounds

D. STAGE II: ORAL SUBMISSIONS

1. Preliminary Rounds

- (a) Each Preliminary Round of the Competition shall consist of sixty (60) minutes of Oral Pleadings.
- (b) Each team will have a maximum of thirty (30) minutes to present their Oral Submissions in Preliminary Rounds. This includes the time the speaker addresses the Court as well as time taken during their rebuttal/surrebuttal.
- (c) No single Speaker shall plead for more than Seventeen (17) minutes. At the commencement of each session of Oral Submissions each team shall notify the Court Officer as to the division of time between the 2 speakers.
- (d) The maximum time for rebuttal/surrebuttal is five (5) minutes.
- (e) The final decision as to the time structure and the right to rebuttal/sur-rebuttal will be that of the Bench/Judges.

2. Quarter Finals, Semi Finals And Final Round

- (a) The maximum time allotted in quarter finals, semi finals and final shall be forty five (45) minutes for each team. This includes the time the speaker addresses the court during rebuttal/surrebuttal.
- (b) No Speaker shall be allowed to address the court for more than twenty-five (25) minutes. At the commencement of each session of Oral Submissions, each team must notify the Court Officer of the period of time that team wishes to reserve for their rebuttal/surrebuttal.
- (c) A maximum of 5 minutes can be reserved for the rebuttal/surrebuttal.
- (d) If any speaker continues to speak after the completion of his/her time, he/she shall entail penalty which will be on the discretion of the judges.
- (e) The final decision as to the time structure and the right to rebuttal/surrebuttal will be that of the Bench/Judges.
- (f) During the course of oral submissions, the participants will not be permitted to submit any material containing pictorial representation whatsoever.
- (g) Speakers shall not be allowed to present annexures to the judges during virtual proceedings; teams may make a compendium of annexure and submit it by **2nd June 2021**. Same will be given to the judges before the commencement of the proceedings.
- (h) If at any instance a submission is made with any material in violation to the above clause and if any picture, sketches, photos, cartoons, caricatures, audio film, video film, projector-slide or a computer generated image is submitted or presented to

court, the teams shall be disqualified from the competition forthwith.

(i) During the course of the Oral Submissions, no speaker shall reveal his/her identity nor the identity of their University / College by any means whatsoever

3. Marking Criteria For The Oral Rounds

- (a) Each Speaker will be marked on a total of 100 marks by each Judge.
(b) The following will be the Marking Criteria for each Speaker:-

Serial. No.	Marking Criteria	Marks allocated
1.	Appreciation and Application of Facts	10
2.	Identification and Articulation of Issues	10
3.	Application of legal principles	10
4.	Use of authorities and precedents	10
5.	Response to questions	10
6.	Presentation skills	10
7.	Clarity of thoughts and logical structure of Arguments	10
8.	Poise and Demeanor	10
9.	Strategy	10
10.	Ingenuity	10
	TOTAL :	100

- (c) The decision of the judges (in marks allocation) will be final.

E: AWARDS

(a) Winning Team Award:

The winning team will receive a Certificate and a cash prize of 15,000/-.

(b) Runners-Up Award:

The Runners up will get a Certificate and a cash prize of 11,000/-.

(c) Best Student Advocate:

Best Student Advocate (Appellant Side) will get a Certificate and a cash prize of 4,000/-.

Best Student Advocate (Respondent) will get a Certificate and a cash prize of 4,000/-.

(d) Best Memorial Award will comprise a Certificate and a cash prize of 6,000/-.

(e) Best Student Researcher will get a Certificate and a cash prize of 4,000/-

(f) Certificate for participation will be given to all the participants.

F: MISCELLANEOUS

(a) Neither any team or nor anyone connected with any team will be permitted to hear the arguments in any court room (virtual) in which that team is not one of the contesting teams.

(b) If there is any dispute in regard to the interpretations of the rules or with respect to any matter related to the competition, which is not contemplated in the rules, the decision of the Organizers shall be binding and final.

(c) It shall be the responsibility of teams to access good internet connections. In case of connectivity issues, the matter may be brought to the notice of the Organizers immediately and the decision of the Organizers shall be final.

(d) In case of any unfair means, the discretion of disqualifying the team will lie with the organizers of the moot court competition.

(e) In case of conflict, Rules and Regulations laid under this document shall prevail over the brochure.

Note: Any dispute regarding the competition or any matter related to the interpretation of the Rules and Regulations shall be referred to the Moot Court Committee and the decisions of the Committee shall be final.

Regards:

Organizing Committee – 10th FYLC Ranka National Moot Court Competition

Dr. Sanjula Thanvi, *Director*

Dr. Abhishek Tiwari, *Deputy Director*

Dr. Preeti Joshi, *Deputy Director*

Ms. Arti Sharma, *Faculty Coordinator*

Ms. Deeksha Sharma, *Faculty Coordinator*

Mr. Surendra Meena, *Faculty Coordinator*

Dr. Priyanka Khetan, *Member*

Dr. Priyanka Joshi, *Member*

Ms. Shatakshi Johri, *Member*

Ms. Yamini Atreya, *Member*

Mr. Gaurav Rathore, *Convener*

Ms. Tarushika Balodia, *Co- Convener*

Mr. Anish Badala, *Co- Convener*

Mr. Ganesh Meena, *Co- Convener*

For Further Queries Contact:

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