

SCHOOL OF LAW presents

## 3<sup>rd.</sup> BENNETT NATIONAL MOOT COURT COMPETITION 2021

February 5 to 7, 2021

**Mode: Virtual** 

**COMPETITION RULEBOOK** 

#### LAW AND TECHNOLOGY

Law and Technology have often shared a unique relationship. Not only does law seeks to govern various operational aspects in the usage of technology, it has also used technology for the purposes of its implementation. Technological advancements have often posed various challenges to law which the latter is frequently struggling with.

One such area in which this struggle has manifested itself is in the One such prominent and important area in which this struggle has manifested itself is the emergence and popularity of OTT Platforms. OTT platforms not only appeal to the youth but also provides various interesting and appealing entertainment for all generations. It has spread its wings to encompass all genres and all forms of entertainment. In 2020, the worldwide COVID-19 Pandemic resulted in the exponential increase in the subscription and demand for OTT Platforms. They proved to be the most popular and best mode of entertainment for everyone in the pandemic period. OTT platforms did provide a space for the producers, artists, storytellers to reflect their talent, however the regulation on the content shown on OTT platforms is a major concern which raises major legal questions.

The School of Law, Bennett University is conducting its second National Moot Court Competition from February 5 to 7, 2021 which revolves around this theme of law and technology focusing on the Regulatory Concerns Regarding OTT Platforms. The Moot Court Competition aims to dwell upon this infamous relationship between Law and Technology and its implication on the legal system.

## NOTE: THE MOOT PROPOSITION HAS BEEN DRAFTED BY ADV. PULKIT AGARWAL, ADVOCATE ON RECORD, SUPREME COURT OF INDIA, WHO OFTEN DEALS WITH THE INTERFACE BETWEEN TECHNOLOGY AND LAW.

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## 1. ADMINISTRATION AND CONDUCT OF THE COMPETITION.

- a) The Bennett University, 3<sup>rd</sup> National Moot Court Competition 2021 is administered by the Bennett University National Moot Court Competition Organizing Committee (hereinafter 'Organizing Committee').
- b) There is a limit of 32 teams for the Competition.
- c) The Competition will be held from the  $5^{\text{th}}$  to the  $7^{\text{th}}$  of February 2021.
- d) Oral and written submissions shall be in the English language only.
- e) The competition will include two preliminary oral rounds and advanced rounds i.e. Quarter-Finals, Semi-Finals and Finals. There will be no memorial elimination round.
- f) Dress Code: Participants shall strictly adhere to the following Dress Code: -

*Men* - Black Formal Coat, White Shirt, Black Tie, Black Formal Pants, White Socks, Black Formal Shoes

*Women* - (A) Black Formal Coat, White Shirt, Black Tie, Black Formal Pants, Black Formal Shoes

OR

(B) Black Formal Coat, White Shirt, Black Tie, Black Executive Skirt, Black Formal Shoes,

OR

(C) - Black Formal Coat, White Long Kurta, White Salwar, White Dupatta, Black Formal Shoes

## 2. ELIGIBILITY

- a) Only regular students enrolled in a five-year integrated undergraduate law programme or three-year graduate law programme are eligible to register for the competition.
- b) Each team shall consist of two speakers and one researcher. Teams are to notify which members are the respective speakers and researcher. No change of speaker to researcher or vice-versa shall be permitted except upon application to the Organizing Committee.

#### 3. REGISTRATION AND FEE

- a) Teams shall register for the competition on or before 23:59 Hours 25<sup>th</sup> December 2020 by sending an email with the subject 'Registration for Bennett National Moot Court Competition 2021' to <u>bnmcc@bennett.edu.in</u> after completing the online registration form.
  - b) The registration fee for the competition is Rs. 4,000/- (Rupees Four Thousand Only) per team.
  - c) The registration fee must be paid through NEFT payment mode and the scanned copy of the transaction receipt of the same must be sent in the registration email mentioned in clause (a) above. The following are the details of the bank account for payment of the registration fee-

Name of the Bank and Brank	HDFC Bank, Sector Omega I/P2
Account Name	Bennett University
Account Number	50200022532364
IFSC Code	HDFC0002845

- d) A scanned copy of the Bona-fide Certificate of the Head of the Institution/Principal/Head of the Department/Dean certifying the team consisting of the three members are bona fide students of the respective institution is to be uploaded through the online registration form.
- e) Teams will be assigned a team code after registration. All communication thereinafter will be through the team codes and teams are not to mention any other details to the Organizing Committee till the completion of the competition.

## 4. MEMORIALS

- a) Each registered team will submit one memorial on behalf of the petitioners and one memorial on behalf of the respondents.
- b) Soft copies of the memorials must be submitted to <u>bnmcc@bennett.edu.in</u> no later than 23:59 Hours on 24<sup>th</sup> January 2021 with the subject of the email as "Memorial Submission (Team Code). The memorial files should be either in .doc, .docx or .pdf formats with the file names as Team code- Party. For eg:- BU001-PET or BU001-RES.

#### c) Memorial Format-

- i. The memorial shall not exceed 40 pages excluding the cover page.
- ii. The color of the cover page must be Blue in case of petitioners and Red in case of respondents.
- iii. The pages of the memorial must be typed on separate A4 size pages (i.e. printed on one side only) and spiral bound.
- iv. Formatting of the contents of the memorial:
  - 1. Main Text
    - a. Font Type: Times New Roman
    - b. Font Size: 12
    - c. 1.5 line Spacing
    - d. Margins: 1 inch on each side.
  - 2. For Footnotes
    - a. Font Type: Times New Roman
    - b. Font Size: 10
    - c. Single (1) line spacing
- v. Teams shall cite authorities in the memorial with footnotes following a uniform system of citation.
- vi. Pages should be numbered at the bottom and spaced in middle of each page of the memorial.

#### d) Memorial Content

- i. Cover Page
- ii. Table of Contents
- iii. List of Abbreviations
- iv. Index of Authorities/List of References
- v. Statement of Jurisdiction
- vi. Statement of Facts (not exceeding 2 pages)
- vii. Statement of Issues
- viii. Summary of Arguments (not exceeding 3 pages)
  - ix. Arguments Advanced (not exceeding 25 pages)
  - x. Prayer (Not exceeding 1 page)

## e) Additional details regarding the memorials-

- i. Teams are strictly prohibited from mentioning their personal details anywhere in the memorial.
- ii. After submission of memorials, no revision, supplements or additions shall be allowed.
- iii. Teams must strictly adhere to the mentioned structural format.
- iv. The Title/Cover page shall include:
  - The Team Code on the upper right-hand corner of the cover page
  - The name and place of the forum
  - The relevant legal provision under which it is filed
  - Name of the parties and their status
  - Memorial Filed on Behalf of Petitioners/Respondents
  - Counsel Appearing on Behalf of Petitioners/Respondents

WRITTEN MEMORIALS				
S. No	Criteria	Marks		
1	Knowledge of facts and law	20		
2	Extent of legal research	30		
3	Proper and articulate analysis	30		
4	Grammar and style	10		
5	Format and citation techniques	10		
	Total	100		

v. The criteria for evaluation of memorials is as follows-

## 5. RESEARCHER'S TEST

Researcher's Test will be held on 5th February 2021. The test will consist of multiple-choice questions based on the moot proposition and relevant legal provisions. Only the researcher in each team is permitted to participate in the Researcher's Test.

## 6. ORAL ROUNDS

- a) The oral rounds will be virtual, and platform would be decided in due course of time.
- b) The oral rounds will consist of preliminary rounds followed by the quarter- final, semi-final and final rounds on a knockout basis.
- c) The petitioners will first submit their arguments, followed by the respondents. Both rebuttals and sur-rebuttals are allowed.
- d) The draw of lots for the preliminary rounds and exchange f memorials will be held following the Inauguration Ceremony on 5<sup>th</sup> February 2021.
- e) Each team will get a total of 30 minutes to present their case during the rounds followed by three minutes per team for a rebuttal or sur-rebuttal.
- f) Rebuttals and sur-rebuttals are limited to issues raised in the arguments raised during the oral rounds by the opponent teams.
- g) Teams can choose the division of time per speaker at their discretion. However, each speaker must speak for a minimum of twelve minutes.
- h) Teams may submit a compendium of cases, scholarly articles and papers and statutory provisions to support their arguments during the oral rounds.
- There will be two preliminary rounds on 6<sup>th</sup> February 2021 wherein each team shall argue for the petitioners and respondents.
- j) The top eight teams from the preliminary rounds on the basis of preliminary rounds won and combined scores in the said rounds will qualify for the quarterfinals to be held on 6<sup>th</sup> February 2021. There will be a draw of lots for the quarterfinals after announcing the qualifying teams.
- k) The winner of each round in the quarterfinals will qualify for the semi- finals to be held on 7<sup>th</sup> February 2021. The draw of lots for the semi-finals will take place following the declaration of results of the quarter-final rounds.
- 1) The winner of each round of the semi-finals will qualify for the finals. The winner of the finals will be declared the winner of the competition.
- m) The criteria for the oral arguments are as follows

ORAL ROUNDS				
S. No	Criteria	Marks		
1.	Knowledge of facts and law	20		
2.	Ability to answer the court's queries	25		
3.	Use of authorities	25		
4.	Court mannerism	10		
5.	Time management	10		
6.	Effective rebuttals and sur-rebuttals	10		
	Total	100		

## 7. PLAGIARISM AND SCOUTING

Plagiarism and scouting of any manner are strictly prohibited and teams or any member thereof found indulging in the same shall be disqualified from further participating in the competition. The decision of the Organizing Committee regarding plagiarism and scouting will be final.

## 8. PRIZES AND AWARDS/CRITERIA

Prizes will be awarded in the following categories-

- *Winning Team* The winning team will be awarded Rs. 40,000/- (Rupees Forty Thousand Only) and Trophy
- *Runner-Up Team* The first runner up will be awarded Rs. 25,000/- (Rupees Twenty-Five Thousand Only) and Trophy
- *Best Researcher* The best researcher male will be awarded Rs. 5,000 (Rupees Five Thousand Only) and Trophy and the best researcher female will be awarded Rs. 5,000 (Rupees Five Thousand Only) and Trophy. This award is given to the researchers scoring the highest marks in the Researchers' Test.
- *Best Speaker* The best speaker male will be awarded Rs. 5,000 (Rupees Five Thousand Only) and Trophy and the best speaker female will be awarded Rs. 5,000 (Rupees Five Thousand Only) and Trophy. This award is given to the speakers scoring the highest points in the preliminary rounds.
- *Best Memorial* The best memorial for petitioner will be awarded Rs. 7,500 (Rupees Seven Thousand Five Hundred Only) and Trophy and the best memorial for respondent will be awarded Rs. 7,500 (Rupees Seven Thousand Five Hundred Only) and Trophy. This award is given to the teams scoring the highest points for the petitioner and respondent memorials.

## 9. ANONYMITY

During the oral rounds of the competition teams shall refrain from disclosing their personal names or the name of their home institution.

## **10. DISPUTES AND CLARIFICATIONS**

- a) Regarding the results of the competition, the decision of the judges and the Organizing Committee is final.
- b) Any clarifications regarding the problem may be mailed to <u>bnmcc@bennett.edu.in</u> on or before December 30<sup>th</sup>, 2021 with the email subject 'Request for Clarifications'. These clarifications will be answered by January 5<sup>th</sup>, 2021 in the form of a clarification note to all the registered teams.

#### **11. QUERIES**

Teams can contact the Organizing Committee via email at <u>bnmcc@bennett.edu.in</u> or contact the following student members of the Moot Court Committee: -

- a) Sanjana Sahay-+91-7093185237
- b) Chinmai Kapri -+91-9536278165
- c) Aryamann Oberoi-+91-7060000366
- d) Gaurang Mandavkar-+91-8286184366
- e) Swadheena Joardar-+91-9810048102
- f) Anubhav Lamba- +91-9672021110
- g) Riya Kharab- +91-9821971002