



SRM FACULTY OF LAW PRESENTS



SRM
INSTITUTE OF SCIENCE & TECHNOLOGY
(Deemed to be University u/s 3 of UGC Act, 1956)

5TH ANNUAL RATIONIBUS JURE NATIONAL MOOT COURT COMPETITION, 2020

7-9 FEBRUARY 2020

5th Annual Rationibus Jure National Moot Court Competition, 2020

7th February – 9th February

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OFFICIAL INVITE

We, SRM Faculty of Law, take immense pleasure in inviting you to the 5th Annual Rationibus Jure Moot Court Competition, 2020 scheduled from 7th to 9th February, 2020 at our institution. This year the moot proposition is based on Sports and Constitutional Law. The Rounds will be judged by Sitting and Retired High Court Judges, Legal Luminaries and Legal Experts to maintain the vigour and to get the best out of the teams. Interested Institutions are requested to provisionally register their participation through email on or before 20th January 2020 and send their soft copies of registration form along with demand draft on or before 28th January 2020 after to which they can send us the duly filled registration forms when the team composition has been finalized.

Prof. (Dr) K. RAMASAMY
Director
Academic & Faculty; Research

Dr. S .SIVAKUMAR
Head in-charge
SRM FACULTY OF LAW

MOOT PROPOSITION

Esha Das was born in Dhingra, Indiana on 13 April, 2000, one of the six children in a family that lived below the poverty line. As a child she was extremely passionate about sprinting. At 12 years she won a spot in the local sports school and went on to break district, state and national records in the 100m and 200m events. In 2018, aged 18 she was picked in the relay squad for the National Games. She represented the state of Dhingra in 100m, 200m and 4x100m and set a new national record in 100m and 200m. Media went on to hail her as the next “Golden Girl”.

Subsequent to this she was asked to be a resident athlete at the National Institute of Sports which is a training facility for elite athletes operated by the Sports Authority of Indiana (“SAI”). The SAI is a public body established by the Government of Indiana’s Ministry of Youth Affairs and Sports.

In 2019, the Ministry promulgated a Standard Operative Procedure to identify circumstances (female Hyperandrogenism) in which a particular sports person will not be eligible to participate in competitions in the female category. The Standard Operative Procedure created rules and procedures governing the investigation, diagnosis and eligibility to compete of hyperandrogenic female athletes in Indiana. The document is binding on the SAI.

Following this, Esha received a letter from the Secretary of Athletics Federation of Indiana, (AFI) asking her to present herself for a “routine doping test”. A few weeks later, the AFI sent a letter about the athlete to the SAI wherein it was stated that there are definite doubts regarding the gender of Esha Das. The letter also expressed serious concern over her eligibility to contest under female category and suggested the athlete undergo a gender verification test as per the established protocol, so as to avoid any embarrassment to Indiana in the International arena at a later stage.

In the light of this letter, SAI conducted tests and issued a press release stating that Esha Das has been found ineligible to participate in female events due to hyperandrogenism. Further it was stated that these tests were conducted following the regulations set by international sport organizations like the IAAF and the IOC governing eligibility of females with hyperandrogenism and according to the SAI protocol. Esha was suggested to undergo proper medical treatment to address her condition.

Agitated by the report, Dr. Lakshmi Vahura a social activist, endocrinologist and sports enthusiast wrote to the Director General of the SAI expressing strong opposition to the decision to prevent the athlete from competing in national and international athletic events. In her letter she stated that the Hyperandrogenism test had little scientific validity and it is merely used as an aid to target Esha Das owing to her background. Esha Das issued a press statement stating that:

The high androgen level produced by my body is natural. I have not doped or cheated. If I follow the IAAF guidelines, I will have to undergo medical intervention in order to reduce my naturally produced androgen level. Experts opine that these interventions would be invasive and irreversible and will harm my health and cause side effects. I also understand that these interventions will most likely decrease my performance level because of the serious side effects and because they will interfere with the way my body has worked my whole life. Also, I am unable to understand why I am asked to fix my body in a certain way simply for participation as a woman. I was born a woman, reared up as a woman, I identify as a woman and I believe I should be allowed to compete with other women many of whom are taller than me or come from a more privileged background, things that most certainly have an edge over me. I request that I be allowed to compete again in national events without having to undergo medical intervention. I also request you to allow me to be a part of the Indiana team in international competitions. The IAAF policy has a provision that says you can make me provisionally eligible while I contest my case.

I understand that IAAF may have asked you for my medical reports and records, but I request you not to share my private and confidential medical reports and information with the IAAF or any other organization without my consent.

I have nearly spent nearly half of my life working hard to excel in athletics and to make my country proud. I hope I am allowed to continue to do so without feeling coerced to undergo medical intervention for participation as a woman.

Following this, Women's Collective for Empowerment, an NGO did a research on the IAAF policy on hyperandrogenism and the study showed that the same is unscientific, unfair and unethical. The medical intervention recommended to reduce an athlete's natural androgen is also invasive, irreversible and harmful. Based on this study the NGO filed a PIL stating that the policy adopted by AFI and SAI was grossly unfair, unjust and promoted discrimination on the basis of gender.

Furthermore they stated that the Hyperandrogenism Regulations are on the basis of insufficient scientific evidence and hence should be rendered invalid. AFI's failure in following procedure prescribed by the Hyperandrogenism Regulations when suspending her right to participate in competitive athletics.

The case is tabled before a division bench of the High Court of Dhingra.

Laws of Indiana are in pari materia to the laws in India.

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RULE BOOK

1. Date & Venue Of The Competition:

5th Annual Rationibus Jure National Moot Court Competition, 2020 is scheduled to be held from 7th February 2020 to 9th February, 2020 at the SRM Faculty of Law, SRM Institute of Science and Technology, Kattankulathur – 603 203.

2. Official Language

The official language of the competition shall be English. All competition rounds, memoranda and compendiums must be in English.

3. Eligibility

All students enrolled in a 3-year LLB programme or a 5-year integrated LLB programme shall be eligible to participate in the *5th Annual Rationibus Jure National Moot Court Competition, 2020*.

4. Team Composition

The team composition shall be as follows: 2 Speakers & 1 Researcher. The teams may choose to participate without a Researcher.

Teams are barred from disclosing the identity of their institution during the course of proceedings in the Court Rooms. Any disclosure of team identities shall invite penalties including disqualification.

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

5. Registration

The registration fee for the Competition is INR 3,500/- (Rupees Three Thousand Five hundred only).

Registration fee is only payable by way of Demand Draft (DD) in the favour of:

“DEAN, SRM SCHOOL OF LAW”, payable at Chennai.

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The last date for receiving the copies of the Registration Form and payment details is 28th January 2020, at the following postal address;

**Mr. Arjun Shaji
Assistant Professor and Moot Co-ordinator,
5th Annual Rationibus Jure National Moot Court Competition, 2020
Faculty of Law
SRM Institute of Science and Technology
Kattankulathur – 603 203
Kancheepuram District,
Tamil Nadu**

A scanned copy of the registration form and the registration fee (DD) must be sent via email to rationibusjure.nmcc@srmist.edu.in or HOD.law@srmist.edu.in by 12 Noon, 28th January 2020.

**Note: Hard- copy of the Registration Form and the Travel Form should be sent to the
aforementioned postal address.**

6. Dress Code:

Inside the court room the participants shall follow the below mentioned dress code:

- i. Females: White Kurta, Black Salwar and Black Dupatta or White Formal Shirt and Black formal Trousers/skirt along with the Black Blazer and Tie(Optional).
- ii. Male: White Shirt, Black Trousers, Black Tie along with Black Blazer and Black Shoes.

7. ACCOMMODATION AND FOOD

Accommodation and food to the participating teams will be provided by the Organizer only from 7th February, 2020 to 9th February, 2020. The teams must bring along a maximum of three (3) members. Any additional member shall not be entertained during the competition.

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- b. The participants must abide by the rules and regulation observed in the campus, non-compliance with which may lead to disqualification.

Note: Intake/use/mere possession of any prohibited substance (e.g. cigarette/alcohol/narcotic substance) is strictly prohibited during the stay throughout the competition, non-compliance with which may lead to immediate disqualification.

8. CLARIFICATIONS

Clarifications to the Moot Proposition and the Rules regarding submission of the Memorandum shall be sought by sending an e mail to rationibusjure.nmcc@srmist.edu.in or hod.law.ktr@srmist.edu.in on or before **31 january 2020** Clarifications sent after this date shall not be entertained at any cost. The List of clarifications shall be released on **31st january 2020**

9. MEMORANDUM/WRITTEN SUBMISSIONS

- a. Participants are required to submit Memorandum or Written Submissions for both the Plaintiff and the Defendant.
- b. Teams shall e-mail Soft Copies of both the Memorandums, in PDF and Microsoft Word formats, i.e. two (2) separate file attachments for the Plaintiff and Defendant, on or before **3rd February 2020, 11:59 PM** to rationibusjure.nmcc@srmist.edu.in . Late submissions will attract penalties.
- c. Only the Team Code shall be specified on the Memorandum. Any reference regarding the participating institution shall result in immediate disqualification.
- d. Amendment to the memorandum shall not be permitted after submission of the soft copies. Variation found in the Hard Copy shall be penalised.
- e. **Six (6) Hard Copies of each of the Plaintiff and Defendant Memorandums** shall be submitted during the Team Registration on **7th February, 2020** in person. Participants are advised to carry additional copies of their Memorandum for their own use. Copies submitted to the Organising Committee shall be used for the evaluation of the Memorandum and for the Judges Bench for each of the Oral Rounds.

There shall be no memorandum exchange.

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The Organising Committee reserves the right to use the memorandum submitted by the participating teams, as it deems appropriate. The memorandum submitted shall not be returned to the participants.

All memoranda must be typed and printed on A4 sized white paper with font size 12, font type Times New Roman, line spacing 1.5 and justified alignment. **The Summary of Arguments and Arguments Advanced shall not exceed 25 pages in total.**

9.1 Contents

- ☐ Cover Page
- ☐ Table of Contents
- ☐ Table of Abbreviations
- ☐ Index of Authorities
- ☐ Statement of Jurisdiction
- ☐ Summary of Facts
- ☐ Issues Raised
- ☐ Summary of Arguments
- ☐ Arguments Advanced
- ☐ Prayer

The cover page must only include the following in justified alignment except mentioned otherwise,

- ☐ Team Code on the right-hand top corner
- ☐ Name of the forum being approached
- ☐ Case type and number
- ☐ Case name
- ☐ ‘Memorandum on behalf of plaintiff or defendant’

Note: The colour scheme for the cover page of the plaintiff memorandum must be blue and of the defendant memorandum must be red. Citations for the memoranda are to be in the form of footnotes only, endnotes are not permitted. Footnotes must not contain substantive pleadings and should not be communicative. All footnotes must adhere to the 21st edition of bluebook citation format. The foot note font size is 10 and font

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type is Times New Roman. The memoranda must not contain annexures, photographs, sketches, exhibits or affidavits etc., violation of the said provision will attract penalties.

9.2 MEMORANDUM SCORING

The Organising Committee shall constitute a panel of judges with domain expertise, for the evaluation of the memoranda. Both memoranda shall be evaluated separately on a scale of 0-100. The criteria for evaluation are as follows,

CRITERIA	MARKS
Depth and quality of research	10
Proper and articulate analysis & clarity	10
Knowledge and application of facts	10
Legal analysis	10
Referencing	10
Presentation	20
Total	80

9.3 PENALTY

Penalty shall be imposed by Negative marking as per the following criteria:

- ☐ Late Submission of Memorandums: 2 marks per Memorandum for first 12 hours after the deadline and 1 mark for every next 6 hours.
- ☐ Wrong File Name: 1 mark per Memorandum.
- ☐ Exceeding page limit prescribed: 1 mark for each exceeding page.
- ☐ Excluding relevant / Including irrelevant items on the cover page: 1 mark per violation.

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- ☐ Exclusion of sections mentioned in 9.1: 3 marks per exclusion.
- ☐ Failure to comply with Bluebook 21st Edition for Footnotes: 0.25 mark per footnote.
- ☐ Wrong Font Size: 0.5 mark per page.
- ☐ Wrong Font Style: 0.5 mark per page.
- ☐ Wrong Line Spacing: 0.5 mark per page.
- ☐ **Failure to use correct colour coding: 2 marks per Memorandum.**

10. ORAL ROUNDS FORMAT AND SCORING PROCEDURE

10.1 Preliminary Rounds

The preliminary rounds shall be conducted in two stages. Each stage will be one preliminary round where each team will represent either the plaintiff or defendant for that round. Sides will be determined by way of draw of lots. Each team will face a separate team and a separate bench in both the preliminary rounds.

Each preliminary round shall be for 40 minutes in total. Each team will be given a total time of 20 minutes comprising of oral pleadings, rebuttal/ sur-rebuttal. Time management is at the discretion of the team subject to a maximum of 12 minutes per speaker. The same must be communicated to the designated Court Officer of the Court Hall prior to the commencement of each round.

Each preliminary round will be judged by two judges, each of whom shall score every speaker on a scale of 0-100. The teams winning both the preliminary rounds will automatically qualify for the quarter final rounds. In case of one win and one loss, the total score of both the rounds will be taken in consideration. In case of tie, the Memorandum score of both the teams will be taken into consideration.

10.2. Quarter-Final Round

The top eight (8) teams shall qualify for the quarter-final round. The sides and against whom the team shall argue will be determined by way of draw of lots.

Each Quarter-Final round shall be for 60 minutes in total. Each team will be given a total time of 30 minutes comprising of oral pleadings, rebuttal/ sur-rebuttal. Time management is at the discretion of the team subject to a maximum of 20 minutes per speaker. The same must be communicated to the designated Court Officer of the Court Hall prior to the commencement of the round.

The Quarter-Final round shall be judged by two judges, each of whom will score every speaker on a scale of 0-100. The team securing the higher marks will qualify for the Semi-Final Rounds, by virtue of a knockout win.

10.3. Semi-Final Round

The top four (4) teams shall qualify for the semi-final round. The sides and against whom the teams shall argue will be determined by way of draw of lots.

Each Semi-Final round shall be for 90 minutes in total. Each team will be given a total time of 45 minutes comprising of oral pleadings, rebuttal/ sur-rebuttal. Time management is at the discretion of the team subject to a maximum of 25 minutes per speaker. The same must be communicated to the designated Court Officer of the Court Hall prior to the commencement of the round.

The Semi-Final round shall be judged by two judges, each of whom will score every speaker on a scale of 0-100. The team securing the higher marks will qualify for the Final Round, by virtue of a knockout win.

10.4. Final Round

The top two (2) teams shall qualify for the final round. Sides will be determined by way of draw of lots.

The Final round shall be for 90 minutes in total. Each team will be given a total time of 45 minutes comprising of oral pleadings, rebuttal/ sur-rebuttal. Time management is at the discretion of the team subject to a maximum of 25 minutes per speaker. The same must be communicated to the designated Court Officer of the Court Hall prior to the commencement of the round.

The Final round shall be judged by a panel of judges, each of whom will score every speaker on a scale of 0-100. The team securing the higher marks shall be adjudged as the winners of the Competition.

10.5. ORDER OF ORAL PLEADINGS

The order of oral pleadings shall be as follows:

- ☐ Plaintiff Speaker 1;
- ☐ Plaintiff Speaker 2;
- ☐ Defendant Speaker 1;
- ☐ Defendant Speaker 2;
- ☐ Rebuttal by Plaintiff; and
- ☐ Sur-rebuttal by Defendant.

During the course of the oral pleadings, no speaker shall disclose his/her identity or the identity of his/her institution by any means whatsoever.

If in case, the plaintiff does not raise for rebuttal, the sur rebuttal is deemed to be cancelled.

Submission of compendiums, case laws, authorities to the judges must mandatorily be done through the Court Officer. All such materials must be verified by the Court Officer before the commencement of the round. Disclosure of the institutions name in any manner including abbreviations in such materials shall not be allowed for submission to the judges.

10.6. ORAL PLEADINGS SCORING

The oral pleadings of each speaker shall be evaluated on a scale of 0-100 as follows,

CRITERIA	MARKS
Research Preparation and organisation	10
Answering questions/responsiveness to questions	10
Courtroom conduct	05
Knowledge and use of facts	10
Knowledge of the law	15
Organisation & time management	05
Legal analysis	15
Quality of Argument	10
Structure of argument	10
Rebuttal	10
TOTAL	100

Scouting is not permitted and it shall be deemed to have happened if the Speaker(s), Researcher, or any other person affiliated with a Team is found:

- 1) Witnessing, hearing, observing, etc. the Oral Submissions in a Round, except where the Round is one in which the Team to which he/she is affiliated is participating in;
- 2) Reading the Memorandum of a Team except where, it is of the Team to which he/she is affiliated.

12. MISCELLANEOUS

- ☐ The final decision regarding Implementation and Interpretation of Rules regarding Moot Court practice and procedures lies with the Organizing Committee.
- ☐ If any one of the members of a Team is notified or informed of any detail or information concerning the Competition, it shall be deemed as if the said Team as a whole has been duly notified or informed.

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- ☐ The Proposition is neither intended to nor does it attempt to resemble any incident or any person, living or dead. Any such resemblance is purely coincidental. The Proposition is a fictitious factual account prepared for the purposes of the present Competition only and it does not attempt to influence or predict the outcome of any matter whatsoever.
- ☐ The copyright in the Memorandums submitted by the Teams shall vest with SRM Faculty of Law, Moot Court Society. The acceptance of such vesting is a precondition to participation in the Competition. The Rules governing the conduct of the Competition should be strictly adhered to. Any deviation thereof can attract penalties or disqualification.
- ☐ **Registration Fee once paid is non-refundable.**
- ☐ The Organizing Committee reserves the right to amend, alter, vary or change, in any manner whatsoever, the Rules governing the Competition, which would be communicated to the Teams within a reasonable period of time.

USING OF MOBILE PHONES/LAPTOPS OR OTHER ELECTRONIC GADGETS ARE STRICTLY PROHIBITED INSIDE THE COURTROOM. VIOLATION OF THIS WOULD AMOUNT TO DISQUALIFICATION.

The MCS and Faculty Convenor of the Organizing Committee of SRM Faculty of Law shall be the final arbiter for these Rules and any such decision made by them on any issue/dispute arising in relation to the Competition shall be final and binding on all concerned.

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IMPORTANT DATES

Events	Dates
Last Date for Provisional Registration	10 th January, 2020
Last Date for Soft Copy Registration	28 th January, 2020
Last Date for Submission of Hardcopy of DD, Registration Form and Travel Form	31 st January, 2020
Last Date for seeking Clarification	28 th January, 2020
Release of Clarification	31 st January, 2020
Last Date for Submission of Softcopy of Memorandum	3 rd February, 2020
Last Date for Submission of Hardcopy of Memorandum	7 th February, 2020
Inauguration, Draw of Lots, Researcher's Test	7 th February, 2020
Prelims and Quarter Finals	8 th February, 2020
Semi-Finals, Finals and Valedictory	9 th February, 2020

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AWARDS

- ☐ WINNERS: Rs. 30,000/-
- ☐ RUNNERS: Rs. 21,000/-
- ☐ BEST SPEAKER: Rs. 7,000/-
- ☐ BEST RESEARCHER: Rs. 7,000/-
- ☐ BEST MEMORANDUM: Rs. 7,000/-

CONTACT INFORMATION

- E mail ID: rationibusjure.nmcc@srmist.edu.in or hod.law.ktr@srmist.edu.in

Faculty co-ordinator:

Mr.Arjun shaji

Ms.Shanthi Palani

Ms.Abhirami

Ms.Athma Rubavathi

Mr.Bennett Paul Giftson

Ms.Divya

Mr.Ankit Anand

Ms.Divya V

For clarifications:

1. **Mr. Arjun Shaji** - +917305898389
2. **Mr.Bennet Paul Giftson** - +919677977133
3. **Ms.Athma Rubavathi** - +919600931478

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REGISTRATION FORM

DATE: _____

INSTITUTION DETAILS

Name:

Address:

Contact No.:

E-mail ID:

Faculty in Charge:

Designation:

PARTICIPANT'S DETAILS:

Name of Speaker 1:

Year and Course:

Contact No.:

Email ID:

Affix Photos

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Name of Speaker 2:

Year and Course:

Contact No.:

Email ID:

Affix Photo

Name of Researcher:

Year and Course:

Contact No.:

Email ID:

Affix Photo

DEMAND DRAFT DETAILS

Name of the Bank:

Branch:

Demand Draft No.:

Date:

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DECLARATION:

We, affirm that all the information provided in the registration form is true. Further, we declare that the institution and its team members will abide by all the rules and regulations as notified throughout the period of competition.

(Signature – Speaker 1)

(Signature – Speaker 2)

(Signature – Researcher)

(Faculty – In – Charge)

(Head of the institution with Seal)

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TRAVEL FORM

Name of the Institution:

Travel Mode: Bus / Train / Flight

Travel Details: _____

Arrival Time: _____

Departure Time: _____

Accommodation Needed: Yes / No

Any other Details:

(Sign and Seal of the Head of the Institution)



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