

RULEBOOK

for

Usha: National Arbitration Moot Competition, 2023

VENUE 

NMIMS School of Law,
Navi Mumbai Campus

DATE 

- ❖ 1st April - Virtual
- ❖ 2nd April - Virtual
- ❖ 8th April - Offline



Knowledge Partner



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**Swiss Arbitration
Centre**

**Swiss Arbitration
Association**

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CHAPTER I

1. **SHORT TITLE:** These rules may be called “Usha: National Arbitration Moot Competition in collaboration with Lakshmikumaran & Sridharan Attorneys or UNAMC, 2023”

2. **DEFINITIONS:** In these rules, unless otherwise stated, a reference to a rule is reference to that rule in “UNAMC, 2023” and reference to a form is a reference to that form attached in the “UNAMC, 2023” as the case may be. In these rules, unless the context otherwise requires:
 - 2.1. “Bench” refers to the members duly invited by the institute, to adjudge any of the rounds;
 - 2.2. “Clarifications” means explanation published by the institute on the moot problem, at any point of time of the competition or a query posed by any competing team within the given deadline;
 - 2.3. “Competition” means the “Usha: National Arbitration Moot Competition, 2023”;
 - 2.4. “Institution” means and includes “School of Law, NMIMS University, Navi Mumbai”;
 - 2.5. “Memorial Round” refers to the assessment of memorials, submitted by teams, on the predefined criterion, hereinafter mentioned in these rules;
 - 2.6. “Moot Problem” means a set of facts published by the institution for competition;
 - 2.7. “Oral Round” refers to the oral pleadings made by the teams before the bench as per the requirements of the rounds for assessment, including time given for rebuttal;
 - 2.8. “Team” means and includes only bona fide representatives of any University, may that be state, central or International or any other department recognized/authorized to impart law degrees, and who have applied and registered for the competition by complying with the procedure prescribed in these present rules;
 - 2.9. “Team Code” means a unique code assigned by the institution to the applied and registered team;

3. **INTERPRETATION:** The Dispute Resolution Committee (DRC) reserves the right to interpret the rules as it deems fit in order to ensure fairness and equality in the competition. Any such interpretation shall be conclusive and the decision of the Dispute Resolution Committee (DRC) for the application of the rules shall be final and binding.

3.1. The Dispute Resolution Committee (DRC) may also amend, modify, change or repeal any rule. The same shall be communicated “UNAMC, 2023” to the teams in due time. In case of any conflict, the decision of the Dispute Resolution Committee (DRC) shall be final and binding.



CHAPTER II

1. ELIGIBILITY: Students duly enrolled and pursuing a full time 5 years or 3 years undergraduate and post-graduate law course from India may apply to participate in UNAMC, 2023 in collaboration with Lakshmikumaran & Sridharan Attorneys.

2. TEAM COMPOSITION:

- 2.1. A team shall consist of maximum three members that must include two Speakers and one researcher.
- 2.2. Any team, intending to change the team composition of the team shall intimate the Dispute Resolution Committee by sending an e-mail at adr.sol@nmims.edu.in, the change will be allowed on discretion of the Dispute Resolution Committee.
- 2.3. Any person, other than three registered team members, is not eligible to join the video-conferencing or the audio-video recording of the oral rounds, and non-compliance is a ground for disqualification.
- 2.4. The Researcher may be permitted to argue as Speaker in case of any unforeseen event.
- 2.5. Prior permission of the organizers of competition in such case shall be mandatory.

3. REGISTRATION:

3.1. General

- 3.1.1. Each team shall register to UNAMC, 2023 in association with Lakshmikumaran & Sridharan Attorneys by filling out the registration form, in the prescribed manner.
- 3.1.2. On receipt of the duly filled registration form the Dispute Resolution Committee shall respond to the participating team, acknowledging the receipt.
- 3.1.3. Link to the Registration Form: <https://forms.gle/dFoWo1cnhScaXPu76>
- 3.1.4. After the selection of participating teams is done, the Dispute Resolution Committee shall respond to each registered team, as specified under clause 3.1.1, with a unique team code, which shall be used to identify the teams during the competition.

3.2. Registration Fee:

- 3.2.1. The preliminary registration fee for the competition is Rs. 4,000/- inclusive of GST.

3.2.2. Teams that qualify for the Semi-Final rounds shall be charged an additional 'final registration fee' of INR 3000 inclusive of GST. The final registration fee includes only accommodation for the duration of the competition.

3.2.3. The registration fee for UNAMC, 2023 in collaboration with Lakshmikumaran & Sridharan Attorneys is to be paid through the payment link mentioned in 3.2.5.

3.2.4. Any additional charges incurred by the team while making the wire transfer are to be borne by the team.

3.2.5. Payment Details

Payment Link: <https://nmims.edu/payments/final/dataFrom.php>

Name of Beneficiary: SVKM'S NMIMS

Name of Bank: Kotak Mahindra Bank

Address: "Maitri", Plot No. 10, Road No. 10, Jvpd Scheme, Juhu, Vile Parle (West), Mumbai, Maharashtra - 400 049

Account No.: 2311578254

NEFT IFSC code: KKBK0000661

MICR Code: 400485022

Type of Account: Current

3.3. Completion of Registration Process:

3.3.1. All teams must email the scanned copy of the receipt generated on completion of the payment on adr.sol@nmims.edu.in. The receipt must contain the reference number after the completion of the wire transfer of the registration fees.

3.3.2. Registration to UNAMC, 2023 in collaboration with Lakshmikumaran & Sridharan Attorneys shall be deemed to be confirmed only on completion of all the formalities as specified under clause 3.3.1, any failure, may be treated as withdrawal from the competition and no claim of what so ever nature shall be entertained thereafter.

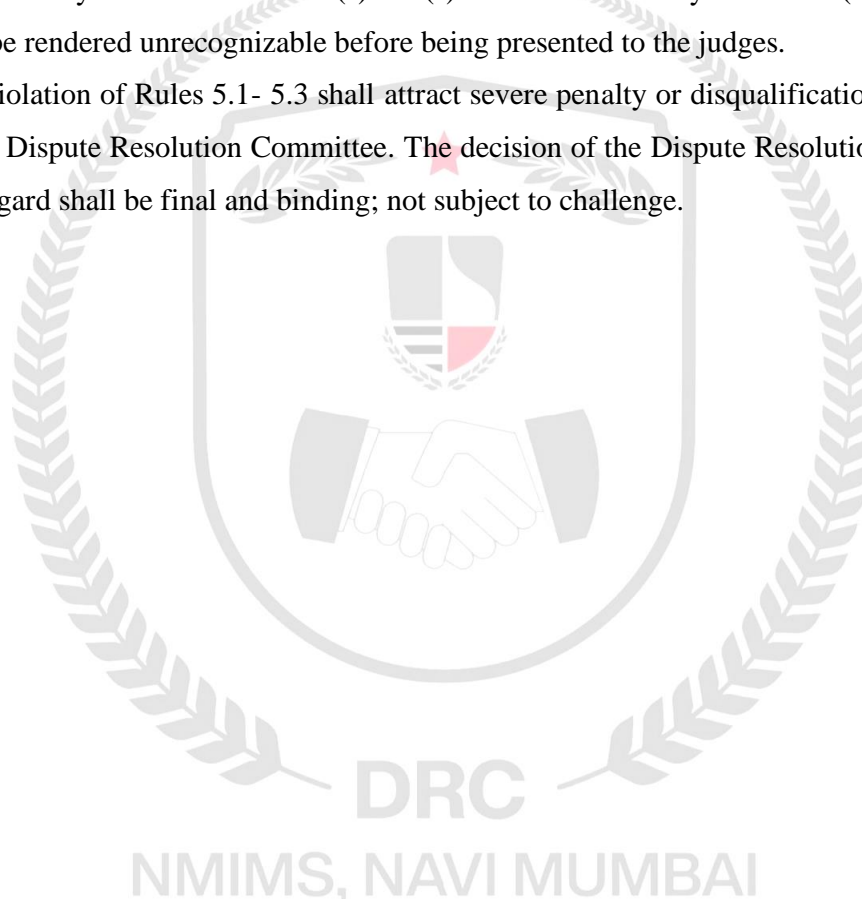
4. CLARIFICATIONS:

4.1. Clarifications can be sought on any part of the moot proposition by 10th March, 2023. These clarifications are to be send via e-mail at adr.sol@nmims.edu.in, clarifications will be released by 15th March, 2023.

4.2. It is at the discretion of the Dispute Resolution Committee to decide whether a clarification sought for is valid and to be clarified.

5. ANONYMITY OF TEAMS:

- 5.1. Teams shall not reveal their identity in any form during the Competition, except by the means of their Team Code allotted by the Dispute Resolution Committee.
- 5.2. Teams must not reveal the name of their institution or names of the participants, anywhere in the memorials or in the course of the oral argument rounds. Teams must also not make use of or display in any manner whatsoever any logo, pins, badges etc. that indicates the university represented by them.
- 5.3. Any material presented to the Panel, including but not limited to compendium, should be devoid of any identification mark(s)/seal(s) of the Team. If any such mark(s)/seal(s) exist, it must be rendered unrecognizable before being presented to the judges.
- 5.4. Any violation of Rules 5.1- 5.3 shall attract severe penalty or disqualification as determined by the Dispute Resolution Committee. The decision of the Dispute Resolution Committee in this regard shall be final and binding; not subject to challenge.



CHAPTER III

1. MEMORIALS AND MEMORIAL ROUND:

1.1. General:

1.1.1. Each team shall research into the domain of moot problem, subject to Rules 1.2.2-1.2.5 of Chapter III, and prepare memorial for the Claimant or Respondent, as the case maybe.

1.2. Format of the Memorial:

1.2.1. The memorials are to be submitted in the format prescribed under Rules 1.2.2- 1.2.4. of Chapter III. If a team fails to comply with the given format, it may be penalized in the form of deductions from the memorial marks.

1.2.2. The memorials shall contain all of, and only, the following heads, namely-

- Cover Page (It shall include the team code of the team on upper right-hand corner, name of the case, parties on behalf of whom written submissions are made, name of the forum approached for dispute resolution and year. The Cover page of the memorial on behalf of **Claimant** shall be in **BLUE**, and **Respondent** shall be in **RED**.)
- Table of Contents
- List of Abbreviations
- Index of Authorities
- Statement of Jurisdiction
- Statement of Facts
- Issues Raised
- Summary of Arguments
- Arguments Advanced
- Prayer

1.2.3. Font and Spacing: All written submissions shall be typed on A4 size paper in the following format in Times New Roman (font type), in 12 points (font size), line spacing 1.5, both sides Justified, and headings to be bold in the same font and size. Each page shall have 1- inch margin from each side.

1.2.4. The memorial shall not contain more than 30 pages excluding cover page, table of content, list of abbreviations and index.

1.2.5. Citations: All teams shall give footnotes by adhering to Blue Book: A Uniform System of Citation (20th Edition).

1.2.6. The memorial shall strictly be below 20% plagiarism limit, non-adherence to which shall attract penalties in memorial scoring.

2. SUBMISSION OF SOFT COPIES:

2.1. Each registered team shall submit a soft copy in PDF format (.pdf) and Word format (docx.) of the memorials via submitting it on the following links on or before 25th March, 2023.

- Memorial Submission on behalf of Claimant:

https://docs.google.com/forms/d/e/1FAIpQLSdbNGBcaYugRnz4xIBlytQUPQeSiKy0R1MBE18hPrG-pDh35A/viewform?usp=sf_link

- Memorial Submission on behalf of Respondent:

https://docs.google.com/forms/d/e/1FAIpQLSeXXHMR05pujUve1Exe5tcXG81P7MlcKweco-s5S642va10XA/viewform?usp=sf_link

2.2. Soft copies of the Memorials shall be submitted on the link and not on the email.

2.2.1. The name of the file containing the memorial from the claimant/s side should be “UNAMC - (Team Code) C”. The name of the file containing the respondent/s side should be “UNAMC - (Team Code) R”.

2.2.2. Submissions made after the specified deadline may lead to penalties in the form of deductions from the memorial marks. Every twenty-four (24) hours delay would attract a penalty of ten (10) marks.

3. ASSESSMENT OF MEMORIALS:

Each side of the memorials shall be assessed out of 100 marks, by a team of experts on the predetermined criterion, as specified hereunder:

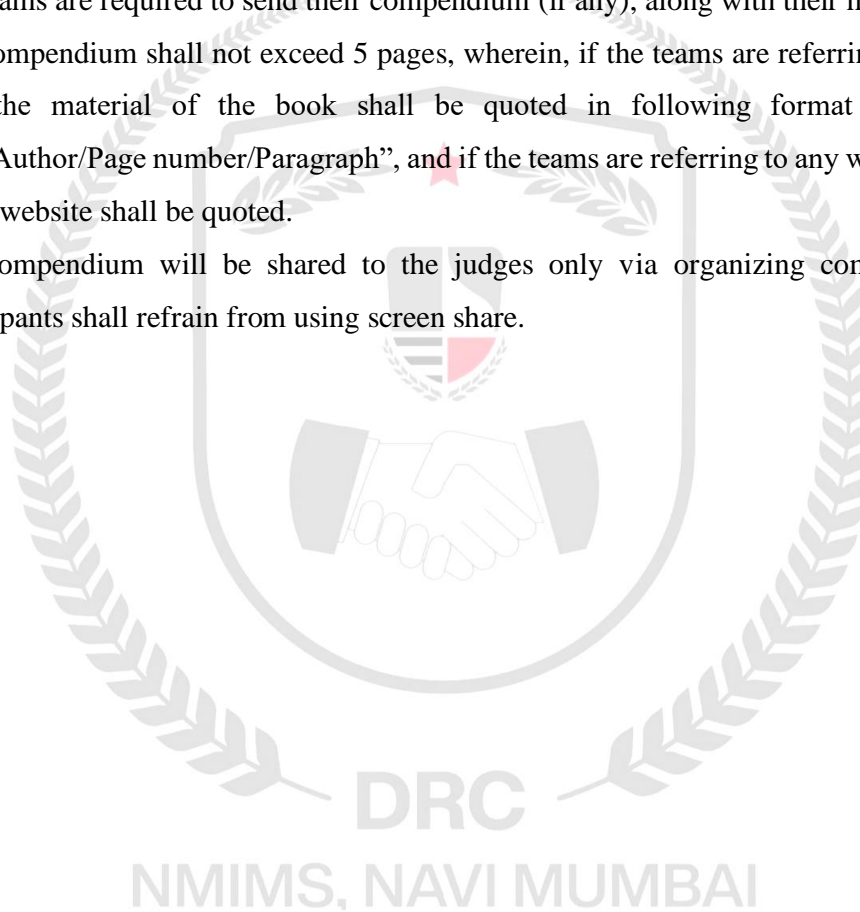
- a. Identification of Issues and Nature of relief sought (10 marks)
- b. Knowledge of act and Law (15 marks)
- c. Use of Authorities/Precedents (20 marks)
- d. Argumentation and Clarity of Thoughts (20 marks)
- e. Proper Citation and Correct Format (15 marks)
- f. Grammar and Style Presentation (10 marks)
- g. Originality (10 marks)

4. RIGHTS OVER MEMORIALS:

4.1. The administrating authority of the competition reserves the rights to disseminate and produce the memorials as and when deemed necessary for the purpose of the competition. Submission of the memorials will constitute the team's consent to do the same. The Dispute Resolution Committee will not take any responsibility for the mistakes found in the final submission of the memorials.

5. COMPENDIUMS:

- 5.1. The teams are required to send their compendium (if any), along with their memorial.
- 5.2. The compendium shall not exceed 5 pages, wherein, if the teams are referring to any books, then the material of the book shall be quoted in following format “Name of the book/Author/Page number/Paragraph”, and if the teams are referring to any website, only link of the website shall be quoted.
- 5.3. The compendium will be shared to the judges only via organizing committee and the participants shall refrain from using screen share.



CHAPTER IV

1. DRESS CODE:

- 1.1. The participants shall adhere to the following dress code while in the courtrooms:
 - a. Ladies: White shirt and black trousers or skirt along with a black blazer.
 - b. Gentlemen: White shirt, black trousers, a black tie, a black blazer and black shoes.

2. STRUCTURE OF THE COMPETITION:

2.1. General:

- 2.1.1. The formal commencement of the competition shall be on 1st April, 2023.
- 2.1.2. The competition shall have a Preliminary Round, a Quarter Final Round, a Semi Final Round and the Final Round which will be followed by the valedictory ceremony.

2.2. PRELIMINARY ROUND:

- 2.2.1. The rounds will be conducted virtually on Webnyay's platform.
- 2.2.2. The Claimants shall be allotted a total of 20 minutes to speak. The Respondent shall be allotted 20 minutes arguments. Any extension of time beyond the specified period shall not be allowed. The allotment of time is inclusive of Rebuttal/ Surrebuttal.
- 2.2.3. The division of time between the speakers is the discretion of the team members, subject to a maximum of 12 minutes for one speaker.
- 2.2.4. Before the commencement of the round, each team shall indicate to the 'Court Master' as to how they wish to allocate their time.
- 2.2.5. At the end of the preliminary rounds, the top 8 teams will qualify for the Quarter Finals. The top 8 teams will be selected on the basis of number of rounds won.
- 2.2.6. A team shall be credited with a win, if its total marks in the respective session are higher than those of its opponent teams.
- 2.2.7. In the case of a tie, the total marks of memorial and the preliminary rounds will be considered.
- 2.2.8. The team with the higher score will advance to the Quarter Finals.

2.3. QUARTER FINAL ROUND:

- 2.3.1. The Quarter Finals will be Knock-out round. The top 4 teams, with the highest total scores in these rounds shall qualify for the semi-final rounds.

- 2.3.2. After the completion of preliminary rounds, the draw of lots will be conducted which will determine whether the participant will appear as Claimant or Respondent in the quarter-final round.
- 2.3.3. The rounds will be conducted virtually on Webnyay's platform.
- 2.3.4. Each team shall get a total time of 20 minutes to present their case and this shall include the time for 'Rebuttal' and 'Surrebuttal'. Any extension of time beyond the specified period shall be subject to the discretion of the judges.
- 2.3.5. The division of time between the speakers is the discretion of the team members, subject to a maximum of 12 minutes for one speaker.
- 2.3.6. Before the commencement of the round, each team shall indicate to the 'Court Master' as to how they wish to allocate their time.

2.4. SEMI FINAL ROUND:

- 2.4.1. The Semi-Finals will be a knock-out round. The top 2 teams, with the highest total scores in these rounds shall qualify for the Final round.
- 2.4.2. After the completion of quarter-final rounds, the draw of lots will be conducted which will determine whether the participant will appear as Claimant or Respondent in the semi-final round.
- 2.4.3. Each team shall get a total of 25 minutes to present their case. This time will include the time for 'Rebuttal' and 'Surrebuttal'. Any extension of time beyond the specified period shall be subject to the discretion of the judges. The division of time between the speakers is the discretion of the team members, subject to a maximum of 15 minutes for one speaker.
- 2.4.4. Before the commencement of the round, each team shall indicate to the 'Court Master' as to how they wish to allocate their time.

2.5. FINAL ROUND:

- 2.5.1. The Final round will be held just after the Semi-Finals. A team will be credited with a win in the Final round if the total marks are higher than those of its opponent team.
- 2.5.2. After the completion of semi-final rounds, the draw of lots will be conducted which will determine whether the participant will appear as Claimant or Respondent in the final round.
- 2.5.3. Each team shall get a total of 25 minutes to present their case. This time will include the time for 'Rebuttal' and 'Surrebuttal'.

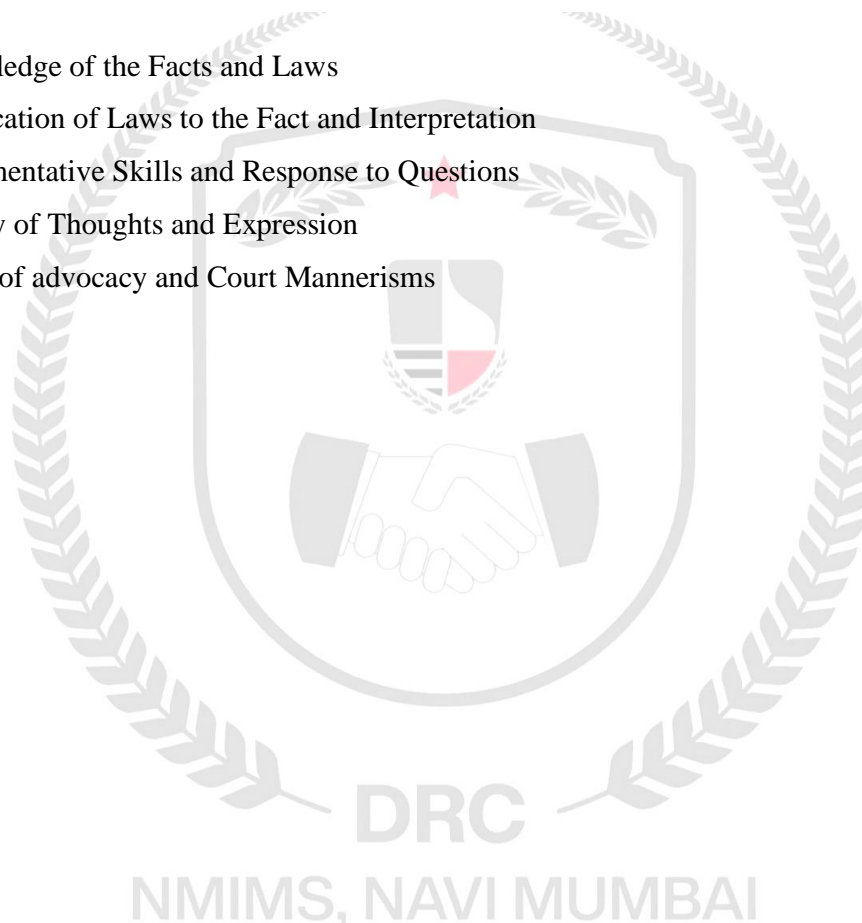
2.5.4. The division of time between the speakers is the discretion of the team members, subject to a maximum of 15 minutes for one speaker.

2.5.5. Before the commencement of the round, each team shall indicate to the 'Court Master' as to how they wish to allocate their time.

3. ASSESSMENT CRITERION FOR ORAL PLEADINGS:

Team performance of the Speakers shall be judged in all rounds out of 25 Marks on the basis of following criterion:

- 3.1. Knowledge of the Facts and Laws
- 3.2. Application of Laws to the Fact and Interpretation
- 3.3. Argumentative Skills and Response to Questions
- 3.4. Clarity of Thoughts and Expression
- 3.5. Skills of advocacy and Court Mannerisms



CHAPTER V

1. MISCELLANEOUS PROVISIONS:

- a) No team shall indulge in any act of misconduct during the oral rounds, undermining the credibility of judges or that of the competition. Any act to the contrary may lead to immediate disqualification from the competition without any scope of appeal.
- b) All the teams shall be bound to follow the code of conduct and the rules laid down by the Dispute Resolution Committee.
- c) Any behaviour of indiscipline with the Dispute Resolution Committee or any other staff member or student volunteer shall be dealt with strictly and may lead to immediate disqualification from the competition without any scope of appeal.
- d) No team shall ask for feedback immediately on completion of any round. However, at the end of all the rounds the participants may talk to the judges, with minimum inconvenience caused to them.
- e) Any attempt to approach the framer of the moot problem or the panel of judges of the competition, prior to the competition shall be dealt with strictly and may lead to immediate disqualification from the competition without any scope of appeal.
- f) The organising committee reserves the right to amend, modify or repeal any of the rules if so required and as they deem appropriate. Participating teams shall receive adequate notice of any/all such amendments or modifications to the rules.
- g) If anything is not covered by rules, the decision of Dispute Resolution Committee will be binding.
- h) During the virtual rounds on Webnyay's platform, the microphones of all the persons not speaking shall be on mute, any kind of disturbance created by the team members, or the team member of opponent team if found, then the team making the disturbance shall be warned, continuance of disturbance may lead to disqualification from the competition on the discretion of Judges.
- i) During the offline rounds, it is required that only the participant who has been assigned to speak during a given turn should speak, and that participants who have not been assigned to speak during that turn should refrain from speaking. Any kind of disturbance created by the team members, or the team member of opponent team if found, then the team making the disturbance shall be warned, continuance of disturbance may lead to disqualification from the competition on the discretion of Judges.

- j) No team is allowed to use mobile phones during any of the oral rounds, for the purposes of research, phone call, texting, or any other purposes.
- k) The organizer shall not be responsible for any loss of connectivity or slow internet connection during the virtual rounds on Webnyay's platform, the participants are requested to have sound internet connection and a working laptop/PC. No use of mobile phones/ tablets will be allowed other than in case of joining the courtroom.
- l) The platform will be informed beforehand; therefore, the teams must have knowledge of using the platform. Also, all the queries regarding anything related to use of app, or any other issues related to the platform being used shall be notified.
- m) If any member 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. Also, the individual is responsible to communicate the information with the team.
2. For further details contact:
Regarding the rules of the competition or any other queries, send your queries at adr.sol@nmims.edu.in with subject line "Competition Problem-Queries". You can also contact any of the following members of the Organizing Committee between 10 am to 4:00 pm (IST).

STUDENT CO-ORDINATORS:

- Rajshri Shrivastava
President, Dispute Resolution Committee.
+91-9131720188
rajshri.shrivastava44@nmims.edu.in
- Rohan Garje
Vice-President, Dispute Resolution Committee.
+91-9372988202
rohan.garje56@nmims.edu.in
- Ishan Anand
Secretary, Dispute Resolution Committee.
+91-7007461727
ishan.anand02@nmims.edu.in

FACULTY CO-ORDINATOR:

- Prof. Tirtha Dutta Biswas
+91-9022469697
tirtha.duttabiswas@nmims.edu

Email ID: adr.sol@nmims.edu.in

Instagram: [dispute_resolution_committee](https://www.instagram.com/dispute_resolution_committee)

LinkedIn: [Dispute Resolution Committee, NMIMS Navi Mumbai](https://www.linkedin.com/company/dispute-resolution-committee-nmims-navi-mumbai)

