



**5TH SURANA &
SURANA & SCHOOL
OF LAW, RAFFLES
UNIVERSITY
NATIONAL LABOUR
LAW MOOT COURT
CUM JUDGMENT
WRITING
COMPETITION 2022-23**

Online (Virtual)

**18th to 20th
November
2022**



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Media Partner & Knowledge Partner



ABOUT RAFFLES UNIVERSITY, NEEMRANA

Raffles University Neemrana, established by an Act of **Rajasthan State Legislature**, as per **Section 2(f) of UGC Act 1956**, is a **multi-disciplinary university** providing **world-class education** through its various schools namely:

- **School of Law**
- **Alabbar School of Management**
- **School of Engineering & Technology**
- **School of Basic & Applied Sciences**
- **School of Agricultural Sciences**
- **School of Pharmacy**
- **School of Humanities & Social Sciences**

Raffles University situated in NCR at Neemrana, on Delhi-Jaipur National Highway No. 48, is just 90 km away from Delhi International Airport and is also connected by a six-lane expressway and by the railway line at Rewari Junction. The distance from Jaipur is 140 Kms.

The **state-of-the-art infrastructure** with all modern facilities, built on a sprawling 50 acres of land, is set in an **unpolluted serene environment** in the lap of **Aravali hills**. The University is based on the **“GURUKULA”** concept whereby the students move away from the rough and tumble of stressful existence to the quieter environment of the University in Neemrana. This ambiance, enables a strong bond between teacher and pupil ensuring thereby greater attention to instruction as well as education free of distraction and impediments. And yet, it is not as if the Gurukul is insular in nature.

Students are encouraged to explore and expand the frontiers of their knowledge through broad Internet and interactions. Raffles University provides an environment for open discussion between the faculty and students which is designed to ignite the urge to explore and learn beyond boundaries. The confluence of minds and cultures from all over the world provides the ambiance for shaping students into global citizens and leaders. **Diversity** and **flexibility** of options of courses to choose from are aimed at enabling students to pursue studies most suited to their intellect and talent. This enables the students to discover, nurture and expand their talents, skills, and interests so that they emerge as **leaders** and **path breakers** wherever they go.



Late Shri Vinod Kumar Gomber
Founder Chairperson

Raffles University was founded by Late **Shri Vinod Kumar Gomber**, an alumni of Harvard Business School, a towering human being gifted with compassion and ethics, and the will to impart holistic, value-based education, to the youth of this Nation and beyond. He led the **EMAAR Group, Dubai**, as the CEO of Worldwide Infrastructure Operations.

His message to the youth was:-

"Be inspired, broaden your horizons, aim for excellence and achieve all your dreams."

- Vinod Kumar Gomber

Shri Gomber created Raffles in the model of a "**Gurukul**" with the aim of imparting holistic education, not only to enable "**employability**" but to provide knowledge to a person to find his identity and the meaning and purpose in life. He was also a fervent believer in spiritual values with a desire to connect to nature and the community. The noble impulses within Shri Vinod Kumar Gomber were so assertive and awakened that in spite of his elevated global status, he had the infinite humility to state that "**We have simply received our blessings by being in the right place at the right time. We are then custodians of the financial resources that have been bestowed upon us and, as such, we should deploy them for the benefit of mankind to the best of our ability**"... "**Our mission is to share**".

Raffles University imbibes and imparts these values through its excellent education system and state-of-the-art infrastructure. Shri Vinod Kumar Gomber was one of the few stalwarts of our world who have gifted to us an enduring and timeless legacy which future generations can cherish.



DR. JUSTICE MEENA V. GOMBER
FORMER JUDGE - RAJASTHAN HIGH COURT
CHAIRPERSON - GOMBER EDUCATION FOUNDATION
CHIEF PATRON - RAFFLES SCHOOL OF LAW

The modern concept of legal education is to learn by bringing about a proportionate admixture of reading, observation, participation, and practice.

Mooting and Mock Trials have been emphasized by the legal educationalists as capable of inculcating in future lawyers the art of being articulate, developing fluency and clear enunciation of thought bearing, the art of persuasion, and making a succinct and intelligible putting up of a case.

Moots are legal problems in the form of imaginary cases argued by two students or two groups of students acting as counsel for each side with a bench of judges or a bench presided over by a judge.

The purpose achieved by **Moots and Mock Trials** is beautifully highlighted with a sense of humour by Lewis Carroll in Alice in Wonderland in the following stanza:

"In my youth", said his father, "**I took to the law. And argued each case with my wife. And the muscular strength which it gave to my jaw, has lasted the rest of my life.**"



MR. VIVEK GOMBER
CHAIRPERSON

Raffles University. Neemrana is a **dream** and **vision** of the Gomber Education Foundation to provide an integrated pathway to quality education. In order to achieve this, one needs an infrastructure that meets global standards, an experienced team of professors and faculty who have international exposure, and an environment that provides resources for its students, enabling them and challenging them to grow as individuals and identify their passions. We, at Raffles, believe that we can provide you with such an environment.

Dear students, please remember these are your years of learning and this is your time, therefore do not be hesitant, we are here to help you with an experience, that you desire, at this stage of your life. All of us at Raffles University strive to review and improve every day wherever required.

I would like to welcome you to the **5th SURANA & SURANA & SCHOOL OF LAW, RAFFLES UNIVERSITY NATIONAL LABOUR LAW MOOT COURT CUM JUDGMENT WRITING COMPETITION 2022-23.** I hope that all your expectations are met and that we can help you achieve your goals.



PROF. (DR.) GADANGI INDIRA
PRESIDENT/VICE CHANCELLOR

Universities are working very hard to make higher education meaningful and relevant. Experiments are being done by many Universities, to make their end product (graduates) "**fit for job**" using their strategies. Emphasis is on bringing out competent persons who can meet the requirements of the employers. In short, higher education is driven by the Job market.

I do believe that Universities aim to inculcate confidence, commitment, and concern as basic values in addition to providing knowledge. Raffles University is being established on high ideals with a vision to shape the youth as per the desire of **Swami Vivekananda**.

Curriculum and pedagogy are designed to blossom the inbuilt capacity of each student.

Scientia est potentia which means "**Knowledge is Power**" is our dhyeya vakya. We equip, expose, empower and enlighten you to face any challenge of life with confidence, but not compromising with ethical values.

I do extend an open-armed welcome to the University and our flagship event. I believe that you will make this competition great.



DR. AUSAF AHMAD MALIK
DEAN, SCHOOL OF LAW

School of Law of Raffles University has been founded with a vision to chisel out the most competent legal professionals who are confident and committed. We equip, expose, enlighten and empower our students to take up any professional challenge with confidence. Students have been exposed to moot Court exercises from the beginning. Participation in moot court competitions outside the school is made compulsory. Two National Level Moot Court Competitions are being organized every year, of which one is in collaboration with the prestigious Surana & Surana International Attorneys.

I am extremely happy and wish all the best to the participants from different law universities/institutions. Our Moot court faculty and student coordinators are doing a commendable job, and their efforts are appreciable, without which organizing such a gala event is not feasible. The Surana and Surana and School of Law, Raffles University jointly organize a national moot court competition on Labour Laws/Employment Law annually. It is the area of law that governs the employer-employee relationship. The prime objective of labor laws is to prevent discrimination, Promote health and safety, Establish a minimum required level for economic support, and Prevent work disruption due to disputes between labour and management. This moot is an attempt to focus on immersing labour issues related to both national and international levels.

INVITATION

School of Law, Raffles University with its organizing partner Surana and Surana, International Attorneys, Chennai is proud to announce the **5th SURANA & SURANA & SCHOOL OF LAW, RAFFLES UNIVERSITY NATIONAL LABOUR LAW MOOT COURT CUM JUDGMENT WRITING COMPETITION 2022-23**. It is an initiative taken forward by the organizers to create awareness in the field primarily of Labour Law and the surrounding disciplines of Employment law, Administrative Law, Constitutional Law, Service Law, etc. This year's case has been drafted to test the knowledge, research aptitude, and application of the law by the participants in the field of laws regarding Employment Laws, provisions governing maternity leaves, and constitutional provisions governing "Right to Equality" and "Right to life and Personal Liberty" mentioned in the Constitution.

The event will provide a unique opportunity for our participants to become a part of a powerful venture started by two of the experienced moot court competition organizers, i.e., School of Law, Raffles University, and Surana and Surana International Attorneys, Chennai. The former takes pride in associating itself with another successful national-level moot court competition while the latter is a familiar name for hosting, administering, and funding numerous moot court competitions nationally and internationally. Together, we aim at promoting academic excellence and research in the field of Labour Law.

The event will take place virtually via the Cisco WebEx platform. To ensure the comfort of the participating teams, an orientation program has been scheduled on the 8th of April which will include a mock for the moot, followed by a draw of lots and exchange of memorials. Competition team codes and sides will also be allotted during the orientation only.

Your good self is requested to kindly direct the concerned authorities regarding participation in the competition and to register your respective team. Teams may register online at www.moot.in

We look forward to your participation in 5th SURANA & SURANA & SCHOOL OF LAW, RAFFLES UNIVERSITY NATIONAL LABOUR LAW MOOT COURT CUM JUDGMENT WRITING COMPETITION 2022-23.

Contact: Regarding any queries, you may reach out to our contact persons mentioned here or drop an email at - mcc@rafflesuniversity.edu.in

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**5TH SURANA & SURANA &
SCHOOL OF LAW, RAFFLES
UNIVERSITY
NATIONAL LABOUR LAW
MOOT COURT CUM JUDGMENT
WRITING COMPETITION**

18th to 20th November 2022

MOOT PROPOSITION

KANGANA

v

ANTARIKSH LOGISTICS (ASGARD) Ltd.

Facts:

1. The sovereign "Republic of Asgard" is a South Asian democratic country; the laws are parimateria with the laws of India, subject to exceptions specified below.
2. The decisions of major countries including India (where common law is prevalent) are of significant value to the Republic of Asgard also. The Apex Court of Asgard also relies on established Labour Law precedents of the European Union and the United States of America.
3. In 2020 ANTARIKSH LOGISTICS (ASGARD) LTD employed 16 persons. In June one of the four employees working in the import operations department, Ms. Rakhi found that she was pregnant. ANTARIKSH LOGISTICS (ASGARD) LTD decided not to wait until her departure on maternity leave before engaging a replacement whom Ms. Rakhi could train during the six months before she went on leave. Ms. Kangana was recruited with a view, initially, to replace Ms. Rakhi following a probationary period. However, it was envisaged that Ms. Kangana would continue to work for ANTARIKSH LOGISTICS (ASGARD) LTD following Ms. Rakhi's return. The documents before the Court show that Ms. Kangana did not know she was pregnant when the employment contract was entered into. (Note: Ms. Kangana is the sole earner for her family as her husband died one month back in an accident)
4. Ms. Kangana started work at ANTARIKSH LOGISTICS (ASGARD) LTD on 1 July 2020. Two weeks later, she thought that she might be pregnant. Her employer was informed of this indirectly. He then called her in to see him and informed her of his intention to dismiss her. Ms. Kangana's pregnancy was confirmed a week later.

On 30 July she received a letter dismissing her in the following terms: "You will recall that at your interview some four weeks ago you were told that the job for which you applied and were given had become available because of one of our employees becoming pregnant. Since you have only now told me that you are also pregnant, I have no alternative other than to terminate your employment with our company."

5. Soon after this decision was made by the company the Republic of Asgard declared a national emergency as the global pandemic covid 19 also hit Asgard. Therefore many companies allowed workers to work remotely and some companies offered work from home on one condition employees will get 50% of their monthly salary. There was much news regarding the exploitation of employees by employers; some of the bottom-level labourers were forced to leave their jobs and some of them committed suicide too.

6. Ms. Kangana then brought proceedings before the Labour Court, pleading direct discrimination on grounds of sex and, in the alternative, indirect discrimination.

7. The relevant national legislation, in this case, is the Sex Discrimination Protection under the Constitution & Maternity Benefit Act, 1961. It is apparent from the documents before the Court that Ms. Kangana cannot rely on the Employees Provident Fund and Miscellaneous Provisions Act, 1952 (the "EPF Act"), the Employees State Insurance Act, 1948 (the "ESI Act"), and the Payment of Gratuity Act, 1972, (the "PGA Act") which provide for certain social security benefits to employees; because she was not a regular employee and was in the probation period.

8. The Labour Court dismissed Ms. Kangana's action. It held that she had not been directly discriminated against on the grounds of sex. In its view, the real and significant reason for Ms. Kangana's dismissal was her anticipated inability to carry out the primary task for which she had been recruited, namely to cover the job of Ms. Rakhi during the latter's absence on maternity leave. According to the Labour Court, if a man recruited for the same purpose as Ms. Kangana had told his employer that he would be absent for a period comparable to the likely absence of Ms. Kangana, he would have been dismissed.

9. The Labour Court also held that Ms. Kangana had not suffered indirect discrimination. More women than men were likely to be unable to do the job for which they had been recruited because of the possibility of pregnancy. However, according to the Industrial Tribunal, the employers had shown that the reasonable needs of their business required that the person recruited to cover for Ms. Rakhi during her maternity leave be available throughout the time.

10. Ms. Kangana was not satisfied with the decision of the Labour Court and thus she filed an appeal in High Court for relief.

11. The High Court found that the special feature of this case lay in the fact that the pregnant woman who was dismissed had been recruited precisely to replace, at least initially, an employee who was herself due to take maternity leave. The court is uncertain whether it was unlawful to dismiss Ms. Kangana on the ground of her pregnancy, or whether greater weight should be attached to the reasons for which she was recruited.

12. As is apparent from the documents before the Court, the question submitted for a preliminary ruling relates to a contract of employment concluded for the age of 60 years including one year probation period.

13. In response to the initial findings of the Labour Court, there can be no question of comparing the situation of a woman who finds herself incapable, because of pregnancy discovered very shortly after the conclusion of the employment contract, of performing the task for which she was recruited with that of a man similarly incapable for medical or other reasons to work.

As Ms. Kangana rightly argues, pregnancy is not in any way comparable with a pathological condition, and even less so with unavailability for work on non-medical grounds, both of which are situations that may justify the dismissal of a woman without discriminating on grounds of sex.

14. Ms. Kangana has no other option except to move to the Supreme Court of Asgard under a Special Leave Petition against the successive orders/decisions of the Labour Court and High Court causing grave injustice to her during the pandemic during which time it is difficult to get another job and without which it will be difficult for her to keep herself and her unborn child alive.

The appellant filed an Appeal at the Supreme Court on the following issues:

1. "Is it discrimination on grounds of sex contrary to Standing Orders for an employer to dismiss a female employee ("the appellant");
 - a. whom he engaged for the specific purpose of replacing (after training) another female employee during the latter' s forthcoming maternity leave,
 - b. when, very shortly after the appointment, the employer discovers that the appellant herself will be absent on maternity leave during the maternity leave of the other employee, and the employer dismisses her because he needs the job holder to be at work during the absentee period of Ms. Rakhi.
 - c. had the employer known of the pregnancy of the appellant at the date of appointment, she would not have been appointed, and
 - d. the employer would similarly have dismissed a male employee engaged for this purpose who required leave of absence at the relevant time for medical or other reasons?"
2. Whether the dismissal of Ms. Kangana is a clear case of violation of human rights which are protected under the Constitution, and other human rights treaties and conventions signed and ratified by Asgard.
3. Teams are free to frame preliminary and other related issues but in no case, the issues should exceed more than four in number.

Venue

Online (Virtual)

Rules And Regulations

I. Aim & Purpose

Surana & Surana & School of Law, Raffles University National Labour Law Moot Court has been conceived with the aim of creating opportunities for learning the development of jurisprudence on Emerging trends in labour law besides developing cutting edge skills In research, writing and advocacy.

II. Venue And Date

5th SURANA & SURANA & SCHOOL OF LAW, RAFFLES UNIVERSITY NATIONAL LABOUR LAW MOOT COURT CUM JUDGMENT WRITING COMPETITION 2022-23, shall be held virtually from 18th to 20th November 2022.

Prof. (Dr.) Gadangi Indira, President, Raffles University, will be the National Administrator.

III. The Competition Shall Be In The English Language.

IV. Eligibility

The Competition is open for students who are studying LLB three year or five-year course during the current academic year interested in Employment Law and who belong to institutions that have been invited.

V. Team Composition

a. Each team should consist of a minimum of 2 and maximum of 3 members. This number cannot be modified under any circumstances.

b. There shall be 2 speakers and 1 researcher designated for each team. the researcher shall be allowed to argue with prior permission of the court and National Administrator in case of illness of the designated speakers.

c. Each team will be provided a team code during orientation. Teams should not disclose the identity of their institution; such disclosure shall invite penalties including disqualification. the decision for the same shall be at the discretion of the National Administrator.

VI. Registration

a. Online registrations are open from 14th September, 2022. The teams must register online by 15th October, 2022. Teams will have to register online at www.Moot.In only 40 teams will be registered to participate in the competition on first- come-first serve basis.

b. No temporary registration requests will be entertained. Kindly refrain from sending such requests to Surana & Surana Or Sol, Raffles University.

c. Participants will receive an automated system generated acknowledgement on successful submission of registration. Participants will receive an approval as acceptance of their request for participation latest by 16th October, 2022 or earlier.

d. Registration Process

Option 1 - The Registration form cum Approval letter as provided in the rules duly signed & sealed by your university / college / moot society.

Option 2 - Upload both (i) & (ii) together as a single PDF

(i) The Registration form cum Approval letter (without seal & signature) as provided in the rules duly filled along with

(ii) Scanned copy of authorization letter with sign and seal from your university/ college / moot society

or

An email communication from the official id (to be filled as notification email id during online registration process) of the institution, from your university / college / moot society to complete the registration process.

Note:

- i. Signatories on the registration form should be any of the following: - Faculty-in-charge of MCA / MCS / MCC, Registrar, Dean, Principal, Director, Chancellor or Vice-Chancellor
- ii. Registration without the scanned copy of the approval letter / an email communication from the college/institution/university or duly attested registration form will not be valid.
- iii. Soft copy of the registration and approval letter/ an email communication as a single PDF to be sent by email to: mcc@rafflesuniversity.edu.in marked as **5th SURANA & SURANA & SCHOOL OF LAW, RAFFLES UNIVERSITY NATIONAL LABOUR LAW MOOT COURT CUM JUDGMENT WRITING COMPETITION 2022-23** registration as subject of the mail latest by 17th October, 2022. The provisional team code shall be allotted to the registered teams by Host University soon after receiving of registration particulars along with the registration fee.
- e. On receiving the provisional team code from moot committee/society of SOL, Raffles University you may proceed to pay the registration fees.

A registration fee of Rs. 2000 /- is to be paid online by 16th October, 2022 to:

BANK NAME: YES BANK LTD

BRANCH: NEEMRANA - 301705 NAME: RAFFLES UNIVERSITY

A/c NO: 013194600000300

IFSC: YESB0000131 SWIFT CODE: YESBINBB

Receipt of the online payment to be sent by email to:

mcc@rafflesuniversity.edu.in

Fee once paid will not be refunded.

- f. In the event a team drops out of the competition or is disqualified the team next in line as per registration data (When the registration exceeds beyond the permitted 40 teams) will be offered the chance to participate in the competition at short notice. Such teams will have to submit memorials to be eligible at least 3 days prior to the start of the competition.

VI. ORIENTATION

There will be an Orientation Program for all the participants on 18th November, 2022 (Friday) followed by a draw of lots and exchange of memorials. Competition team codes and side will be allotted during the orientation only.

VII. ROUNDS

There will be two preliminary rounds of arguments, an octa final, a quarterfinal, a semi-final and a final round.

Octa final will be conducted if the participation exceeds 24 teams

Quarter final will be conducted if the participation exceeds 16 teams

Preliminary Round/ Octa Finals/ Quarter Finals

- a. There will be two preliminary rounds of arguments per team, once for applicant & another for respondent.
- b. No team will face each other more than once in the preliminary rounds.
- c. Each team will face a different bench in their second round of arguments.
- d. Preliminary 1/Preliminary 2/ Octa finals/ Quarter finals will be held on 19th November, 2022 (Saturday) while Semi-finals/Finals will be held on 20th November, 2022 (Sunday).
- e. Top sixteen/eight teams from the Preliminary Rounds will advance to the Octa / Quarter final rounds that will be decided on
 - a. Win points
 - b. Win points + Aggregate raw points
 - c. Win points + aggregate raw points (in case of tie minus memorial marks) Memorial marks will be added to the scores of both the preliminary rounds only.
- f. The dress code shall be advocate's attire (as laid out by the BCI) during orientation.

the oral rounds and valedictory ceremony of the competition.

- a. The oral arguments need not be confined to the issues presented in the memorials

Octafinal / Quarterfinal / Semi Final Round / Final Round:

- a. Lots / power matching will decide the side of the arguments in Octafinal, Quarterfinal, Semifinal & Finals.
- b. Semifinals will be held on 20th November, 2022 (Sunday), followed by the Finals.
- c. The Octafinal / Quarterfinal / Semifinal are knockout rounds.
- d. The schedule is subject to change in case participating teams' number less than 24.

Results (Announcement)

Results of the preliminary rounds shall be announced after the completion of rounds of all the teams. Similarly, the results of the Quarter-Final/Semi-Final Rounds shall be announced after completion of the rounds of all qualified teams of respective rounds. The results of the Final Round shall be announced during the Valedictory Ceremony.

VIII. MEMORIALS

The following requirements for memorials must be strictly followed. Non-conformities will be penalised:

- a. Each team must prepare memorials for both parties to the dispute (Petitioners and Respondent).
- b. The soft copy of the Memorials for the Petitioner and the respondent should be mailed to mcc@rafflesuniversity.edu.in with copy to mootcourt@lawindia.com on or before 10th November, 2022
- c. Late submission will be penalized by two points for each hour subject to a maximum penalty not exceeding 20 points.
- d. Memorials received after 24 hours of the deadline will not be considered and the team will be disqualified from the moot court competition.
- e. Once the soft copy of the memorials has been submitted, no revisions, supplements, or additions will be allowed.
- f. Soft copy of the memorials should be emailed with the subject as "**Team Code- Memorial Submission**". The memorials shall be submitted in Word format. The file shall be named as "**Team Code- Memorial for Petitioner**" and "**Team Code- Memorial for Respondent**" respectively. The memorials for the two sides shall be attached as two separate attachments in the same email communication.
- g. The memorials have to be submitted on typed A 4 size paper printed on one side and must contain:
 - The table of contents
 - The index of authorities
 - The statement of jurisdiction
 - The statement of facts (1 page only & argumentative statement of facts attract penalties)
 - The statement of issues
 - The summary of arguments (not more than 1 page)
 - The arguments advanced (not more than 15 pages)
 - The prayer

h. Uniform font size should be used throughout the memorial. The font size should be 12 (doubles space) and for footnotes it should be 10 (single space) & double space is to be adhered to between two-foot notes. Footnoting must conform to the Bluebook: A uniform system of citation (20th Edition). Non-Compliance will result in a penalty of 1 mark per page. Substantive/ speaking footnotes are strictly prohibited.

i. The memorial must have a margin measuring one inch on all sides of each page.

j. The page numbering should be on the top right side of each page.

k. Covers must be placed on briefs as follows:

Petitioner: Light Blue Color; Defendant: Light Red Color.

l. The cover page of the memorial must state the following

a. Team Code (On the top right corner)

b. The cause titles

c. Identify brief as Petitioners / Applicant / Respondents as is applicable

i. Identity of the institution shall not be revealed anywhere in the memorial. Violation of this provision shall result in penalties including disqualification. The National Administrator's decision shall be final.

j. The teams may share a separate paper book (compendium) of not more than 50 pages, which will carry all the annexure and case laws that have been referred to in the memorial. The paper book will have a white cover. The teams may submit through screen sharing with judges or submitted during virtual registration before commencement of the Competition as advised by the organizers. Any identifying marks/seal of the college/university shall attract severe penalties including disqualification.

IX. ORAL ROUND

Preliminary Round, Octafinals & Quarterfinals

- a. Each team will get a total of 30 minutes to present their case. This time will include rebuttal and sur-rebuttal time.
- b. The division of time is at the discretion of the team members, subject to a minimum of 12 minutes per speaker. Division of time shall be informed to the court officer before arguments begin.
- c. The oral arguments need not be confined to the issues presented in the memorials.
- d. Passing of notes to the speakers by the researcher during the rounds is allowed. However, it is to be done discreetly without disturbing the proceedings of the court.
- e. The researcher may sit with the speakers at the time of the orals.

Semifinal & Final

- a. Each team will get 45 minutes to present their case that will include rebuttal and sur-rebuttal time
- b. The division of time is at the discretion of the team, with a maximum of 25 minutes per speaker and a minimum of 20 minutes per speaker.
- c. The oral arguments need not be confined to the issues presented in the memorials.
- d. Passing of notes to the speakers by the researcher during the rounds is allowed. However, it is to be done discreetly without disturbing the proceedings of the court.
- e. The researcher may sit with the speakers at the time of the orals.

X. SCOUTING

Teams will not be allowed to observe the orals of any other teams. Scouting is strictly prohibited. Scouting by any of the team members shall result in disqualification. Final Round will be broadcasted live.

XI. SCORING

A. Orals

The parameters for judging the oral presentation on a scale of 0 - 100 points are:

- a. Knowledge of facts
- b. Logic and reasoning
- c. Organisation and clarity
- d. Persuasiveness
- e. Deference to the court
- f. Proper and articulate analysis of the issues arising out of facts
- g. Understanding of the legal principles directly applicable to the issues
- h. Ability to explain clearly the legal principles in general keeping to the time allotted
- i. Knowledge and use of legal sources and authorities and general principles of national law
- j. Ingenuity (ability to argue by analogy from related aspects of law)

B. Written Submissions (Memorials)

- a. The memorials shall be marked on a scale of 1-100 points each.
- b. Any revisions, supplements or additions to the memorials after submission shall attract severe penalties subject to the discretion of the National Administrator.
- c. Award of the points shall be based on the following parameters:
 - Neatness, legibility, no typographical errors or format errors
 - Logical progression of ideas
 - Effective use of headings to outline arguments
 - Understanding essential legal issues presented
 - Focus on essential (not collateral) issues
 - Clear, concise and unambiguous writing style
 - Forceful and persuasive presentation
 - Integration of facts into legal argument
 - Understanding of strengths and weaknesses of case
 - Discussion of viable alternative arguments
 - Understanding and analysis of authority
 - Proper use of citations and citation form
 - Effective use of authority to support arguments
 - Ability to distinguish adverse cases
- d. Non-compliance of the rules mentioned in Clause VII above shall attract severe penalties

XII. AWARDS

Winner	: Rs.21, 000/-
Runner up	: Rs.11, 000/-
Best Memorial	: Rs.5, 100/-
Best Student Advocate	: Rs.5, 100/-

XIII. ANONYMITY

- a. Student counsel may introduce her/himself to the court in the usual manner and may also state her/his names. However, the team's college / institution affiliation may not be mentioned at any time before the awards ceremony.
- b. Further, all team members, coaches, advisors, and observers shall refrain from identifying a team's school at any time and in any manner, including, but not limited to, wearing any identifying items, such as school clothing, ties, patches, or pins or carrying identifying material (such as a book with a college logo, or college seal).

XV. DECISION OF THE JUDGES IS FINAL

XVI. POLICY FOR VIRTUAL ROUNDS

- a) The Oral Rounds for the competition will take place virtually via Cisco WebEx platform.
- b) It would be the responsibility of every team to ensure a stable internet connection. The audio and video of every member of the team should be clear. Every team must ensure a proper background. The organisers will under no circumstances be obligated to provide the participants with any such facility.
- c) All participants should mandatorily join with their laptops or desktops and other forms of device are to be avoided.
- d) The link or the ID and password for the room on Cisco WebEx will be conveyed to the participating teams before the oral rounds.
- e) Each participating member of every team is advised to install the Cisco WebEx platform on their devices well in time.
- f) Each team is required to join the room at least twenty minutes before the scheduled time of commencement of the oral rounds.
- g) The participants' camera and microphone shall be firmly positioned throughout the oral rounds so as to show speakers and to ensure their voices are clearly audible.
- h) All participants must keep their cameras on at all times during the rounds. Camera to be switched off in case of technical glitches with the permission of the bench.

- i)** At the time when one participant is speaking, others are expected to keep their microphones on mute. In case a participant is found disturbing the other pleader anyway, he/she or the entire team to which such participant belongs may be disqualified upon the discretion of the bench.
- j)** Each participant is responsible for finding a suitable venue and background to participate. The venue must be a quiet location and one which has adequate and reliable internet connectivity and has a desk and chairs for the oralist. Location in open spaces hallways or cybercafes or similar areas are NOT permitted.
- k)** Participants are cautioned to ensure that all equipment has a power supply sufficient to last for at least two hours without interruption.
- l)** In case of a loss in internet connection, each team will be given a reasonable time to reconnect. If the problem still persists the decision made by the organizers shall be final and binding.
- m)** In the event where one or both of the speaker could not join due to connectivity issue, the team may be disqualified from the competition and at no circumstances can other member of the team be allowed to switch roles.
- n)** Where a team does not appear within 10 minutes of the scheduled time for the round, the round shall proceed as ex-parte.
- o)** Compendium & memorials shall be mailed to mcc@rafflesuniversity.edu.in along with the team competition codes on completion of the Orientation as directed by the organizers.
- p)** Any compiled Research Material (Compendium) or other supplementary documents may be, as per the discretion of the bench, presented by the team by using the "screen sharing" option given they have fulfilled the preceding sub-clause.
- q)** Participants will not be allowed to use the feature of personal chat on Cisco WebEx to communicate with their team members or members of the opposing team. (However, the teams may communicate with each other via other digital platforms in the background according to their convenience).
- r)** Teams shall not use internet or any other devices during the rounds for anything, except participating in the rounds.
- s)** Participants can only sip water on screen during the competition. Consumption of other beverages or eatables is not permitted. Non-Speakers are to switch off video before drinking water.
- t)** Participating speakers and researcher are permitted to join for the Virtual Competition from the same premises/room. However, the screen space shall be independent and the speakers, researcher to represent before the bench through individual/separate devices.
- u)** Appropriate court room demeanor is to be maintained. This is mandatory.
- v)** Participants are expected to cooperate with the organizers and the judges, in case anyone faces any issue.
- w)** The organizers shall take best available measures to resolve or mitigate any connectivity issues that may arise. However, in cases where that is not possible, the organizer cannot be held responsible for the unforeseen issues which includes (but are not limited to) - Software failure and connectivity issues. The decision of the Organizers in consultation with the judges shall be final and binding.

XVII. Rules of the National Judgment Writing Competition

1.Title: The competition will be called "Surana & Surana National Judgment Writing Competition on Labour Law".

This judgment writing competition will be a part of Surana & Surana National Labour Law Moot Competition.

2.Rules: Besides the rules given below all relevant rules of the National Labour Law Moot rules are applicable.

3.Eligibility: The teams participating in the Surana & Surana National Labour Law Moot Court Competition.

4.Structure: The structure of the judgment will reflect the forum / court in which the moot case is set and argued.

5.Submission:

a. The participant team must compulsorily submit to the administrator a judgment arising out of the National Labour Law case in M S Word format not exceeding 3000 words including footnotes, citations etc.

b. Participation in Judgment Writing Competition is compulsory for all the teams and researcher from each team shall represent the team in the competition.

c. The soft copy of the judgment must be submitted by way of email / pen drive on 20 November 2022 (Sunday) 10.00 a.m. A soft copy of the same must be forwarded to mootcourt@lawindia.com. For the semi- finalist and finalist the submission date would be 22nd November, 2022 (Tuesday) 10am.

6. Evaluation criteria (based on application of principle & objective)

i. Format (All the steps of a judgment)

ii. Language and style (lucid expressions, brevity not at cost of clarity)

iii. Facts in brief

iv. Issues

v. Application of law

vi. Ratio Decidendi

vii. Justification of decision

viii. Operative order

ix. Obiter dicta (the judge's mind)

x. Creative interpretation of citations, facts, law and innovative approach

7.Prize & Certificates

a) First 4 places will be awarded Certificate of Merit.

b) All the participants who have submitted the judgments would get participation certificates. The winners (winner / runner up) would be awarded respective individual certificates.

SSIA will have no further obligation regarding this competition.

8.Jury

The results announced by the eminent juries will be final and no further representation will be entertained in this regard.

9.Results

a. Will be communicated by mail / email / posting on the websites of SOL, Raffles / www.moot.in by 15th December, 2022 (Thursday).

b. Winning entries will be uploaded www.moot.in / and in website of SOL, Raffles.

c. Certificates will be sent by post to the respective winners.

XVIII. COPYRIGHT

a. The copyright over the memorials submitted for participation in the competition is assigned by participants and shall also vest completely and fully in SOL, Raffles University, Neemrana and Surana & Surana International Attorneys Chennai. The participants shall certify in writing the originality of materials contained therein and shall be responsible for any claim or dispute arising out of the further use and exhibition of these materials.

b. Further use and exhibition of these materials, electronically or otherwise, shall be the exclusive right of Surana & Surana International Attorneys, Chennai and SOL, Raffles University, Neemrana and they shall not be responsible for any liability to any person for any loss caused by errors or omissions in this collection of information, or for the accuracy, completeness, or adequacy of the information contained in these materials.

c. Distribution of these materials on affiliated websites such as www.moot.in does not constitute consent to any use of this material for commercial redistribution either via the Internet or using some other form of hypertext distribution. Links to the collection or individual pages in it are welcome.

XVIII. Prof. (Dr.) Gadangi Indira President, Raffles University, will be the National Administrator.

XIX. Any clarifications for the competition can be sought from:
Regarding Queries on Case / Submission of Memorials /Accommodation / Transport/ etc.

(a) Dr. Ausaf Ahmad Malik -

Email: dr.ausafmalik@rafflesuniversity.edu.in

Mob: +91-9891505159 - (Dean - SOL)

(b) Mr. Mohammad Abu Shahid

Email: md.abushahid@rafflesuniversity.edu.in

Mob: +91- 8848738807- Convener

(c) Regarding registration

Mr. Preetam Surana

Advocate & Head, Academic Initiatives

Head (Admin), Litigation & Arbitration Practice Surana & Surana International Attorneys

Email: mootcourt@lawindia.com,

Ph: 044 - 2812 0000, Fax: 91 - 44 - 2812 0001

Student Coordinators:

1. Nisha Gandhi - +91- 9116364833 (BA.LL.B. 7th Sem)

2. Vansh Dingra - +91-9350441919 (BA.LL.B. 7th Sem)

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5. Yukti Bhardwaj -+91-9079843104 (BBA.LL.B. 7th Sem)

IMPORTANT DATES

Start of Online Registration	14th September, 2022
Last date for Online Registration	15th October, 2022
Last date for payment of Registration Fee	16th October, 2022
Last date for receiving copies of Reg. form/ approval letter along with details of registration fee payment	17th October, 2022
Last date for requesting clarification for problem	20th October, 2022
Last Date for Submission of Memorials One Hard Copy (both applicant and respondent) & Soft Copy by email	10th November, 2022
Orientation	18th November, 2022
Prelims- 1 / Prelims - 2 / Octa final / Quarter final	19th November, 2022
Semi Final/ Final, Valediction & Prize distribution	20th November, 2022
Submission of Judgment (soft copies by way email / Pen drive)	20th November, 2022
Submission of Judgment (soft copies by way email/ pen drive) for semi- finalist and finalist	22nd November, 2022
Declaration of Judgment Writing Competition result	15th December, 2022

Date:

**Registration form/ Approval letter
(Please fill in capital letters)**

Undertaking

1. We hereby state that our participation complies with the rules and regulations of the competition.
2. We certify that the materials submitted/to be submitted are prepared by us and agree to indemnify the organizers, i.e., the Surana & Surana International Attorneys, Chennai and SOL, Raffles University, Neemrana for any claim or dispute arising out of the further use and exhibition of these materials.
(All particulars must be given)

Name & Address of the participating Institution:

Notification Email: Regd. Mobile #:

Name of the participant	Gender	Course	Year/ Semester	Signature
Teams primary Email ID/ Telephone Number for communication				

Seal & signature of the
Head of the Institution