



15th ALL INDIA MOOT COURT COMPETITION 2017
RULES

Introduction

Mock trials are usually based on cases involving emerging or unsettled areas of law.

Aim and Purpose

- To give practical/ hands-on exposure to students of ICSI to hone their skills for appearance before the Quasi Judicial Bodies & the Regulators as per the Laws applicable in India & more particularly in the context of the Companies Act, 2013 .
- To provide a *real-life* experience cum training in doing cutting-edge research, presenting ground breaking arguments (oral and written) and contributing to the development of jurisprudence in the concerned area of laws.

Subject, Venue and Date

The ICSI – 15th All India Moot Court Competition 2017 will be held in three stages- Chapter, Regional and National Level as per schedule below.

Subject	Last date of Submission of Application for Participation	Last date to organize the event	Venue
Chapter Level Competition	8 th July, 2017	15 th July, 2017	To be decided by the Chapter/Region
Regional Level Competition	17 th July, 2017	29 th July, 2017	To be decided by the Region
National Level Competition	29 th July, 2017	19 th August, 2017 (Grooming & Trial Round for winners of Regional Level Competitors) & Final Round at Kolkata	National Company Law Tribunal (NCLT) Kolkata Bench 5, Esplande Row (West) Kolkata – 700 001

Competition at each level will be on a case to be decided by the organizers of that level. The case must be based on Section 58, 59, 230, 232 and 210, 241 & 242 of Companies Act, 2013- relating to Registration of Transfers of Shares, Mergers & Amalgamation of the Company and Oppression & Mismanagement which are heard by the National Company Law Tribunal (NCLT). A copy of National Company Law Tribunal Rules, 2016 is attached herewith. Students must ensure compliance with aforesaid regulations while arguing their demonstration case.

The demo case law for Chapter Level Competition shall be decided & given by respective Chapters as per any of the 3 topics as aforesaid.

The demo case law for Regional Level Competition shall be decided & given by respective Chapters as per any of the 3 topics as aforesaid

The demo case law for the National Level Competition will be made available to the Winners of the Regional Level by ICSI-EIRC on Monday, 31st July, 2017. The Regional Offices are requested to provide the names of the Regional Level winners to ICSI-EIRC on or before 29th July, 2017.

Language & Dress code: As per National Company Law Tribunal Rules, 2016.

Team Composition: Each team shall consist of 2 Students (1 as Petitioner & 1 as Respondent).

Registration:

Teams must register with the respective Chapter / the Region with enclosed Registration Form as per dates mentioned above.

National Round:

Maximum Four teams from four regions (one winning team from each region) will be admitted in the National Round.

Memorials:

The following requirements must be strictly met for each level. Non-conformities will be penalized:

- a. Each team must prepare memorials (Petition, Reply, Rejoinder & Written Notes) for both sides, i.e, (Petitioner and Respondent).
- b. The briefs shall be consistent with **the National Company Law Tribunal Rules, 2016**.
- c. Once the memorials are submitted, no revisions, supplements, or additions will be allowed.
- d. 3 (three) copies each of the memorials for Petitioner & Respondent + a soft copy to be submitted to the respective Chapter / Region in Charge before the two days of commencement of event. Both memorials should be copied in a single CD. Late submission of memorials will not be allowed.
- e. **Memorials must be submitted type written as per National Company Law Tribunal Rules, 2016**

Procedure for Appearance at the competition:

Petitioner's Submission: 15 mins

Respondent Submission (Counter): 15 mins.

Petitioner Submission (Rebuttal): 15 mins;

Scouting:

Teams will not be allowed to observe the orals of any other team(s). Scouting is strictly prohibited. Scouting by any of the teams will result in disqualification.

Scoring / Marking Parameters:

- a. Memorials will carry 30% and oral submissions will carry 70% of evaluation.
- b. If the memorials are found to be verbatim reproduction of each other, no points will be awarded for such memorials.
- c. Indicative parameters for scores on the basis of Oral Submission:
 - i. Knowledge of facts
 - ii. Logic, reasoning and clarity
 - iii. Persuasiveness
 - iv. Deference to the court
 - v. Proper and articulate analysis of the issues arising out of facts
 - vi. Understanding of the laws directly applicable to the issues
 - vii. Ingenuity (ability to argue by analogy from related aspects of law)
- d. **Indicative parameters for scores on the basis of Written Submissions (Memorials) in conformity with National Company Law Tribunal Rules, 2016:**
 - i. Logical progression of ideas
 - ii. Originality in analysis and arguments
 - iii. Effective use of headings to outline arguments
 - iv. Understanding essential legal issues presented
 - v. Focus on essential (not collateral) issues

- vi. Clear, concise and unambiguous writing style
- vii. Forceful and persuasive presentation
- viii. Integration of facts into legal argument
- ix. Understanding of strengths and weaknesses of case

- x. Discussion of viable alternative arguments
- xi. Understanding and analysis of authority
- xii. Proper use of citations and citation form
- xiii. Effective use of authority to support arguments
- xiv. Ability to distinguish adverse cases
- xv. Neatness, legibility, typos or format errors

Announcement of Results:

The results of National Level will be announced on 19th August, 2017.

Anonymity:

- a. Student counsel may introduce him / her to the Judges in the usual manner and may also state their names. However, the team's region or office or other affiliations shall not be revealed at any time to any of the Judges before the competition is over.
- b. Further, all team members and observers shall refrain from identifying a team at any time and in any manner, including, but not limited to, wearing any identifying items, such as badges, blazers or identifying material, which may indicate their region or office or other affiliation.
- c. Identity of a team in any form shall not be revealed anywhere in the memorial. Instead the allotted team code numbers should be mentioned on the top right corner of the cover. Violation of this provision shall result in penalties including disqualification. The team codes will be provided by the Chapter / Region at the time of accepting Registration to attend the event. The decision of Judges for each level of competition shall be final.

Accommodation and transport between the guesthouse / hotel and the competition venue for the participating teams will be provided by the respective Chapter / Regional chapters as per ICSI Student Competition Guidelines.

Other important issues:

- a. Participants are required to maintain proper decorum during competition. The Organizer of each level of Competition reserves the right to take appropriate action for any unethical, unprofessional or immoral conduct.
- b. Regional Offices of ICSI are requested to encourage participation of 1 team from each of their chapters for Regional Level competition.
- c. ICSI-EIRC reserves the right to vary, alter, modify or repeal any of the above rules if so required and as it deem appropriate.
- d. Decision of ICSI-EIRC will be final & binding.

For further details, please contact:

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