

**IV SURANA & SURANA AND UPES SCHOOL OF LAW  
NATIONAL INSOLVENCY LAW MOOT COURT COMPETITION 2021-2022**

4<sup>th</sup> – 6<sup>th</sup> February 2022

Joint Organizer



Surana & Surana  
International Attorneys

Host & Joint Organizer



UPES School of Law Dehradun

**UPES SCHOOL OF LAW**

**ONLINE (VIRTUAL)**

Knowledge Acres P.O. Kandoli via- Prem Nagar, Dehradun,

Uttarakhand-248007

Tel: 0135-2770137, Extn: 2164

Email Id: [mootcourt@ddn.upes.ac.in](mailto:mootcourt@ddn.upes.ac.in)

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**RULES OF THE COMPETITION**

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## RULES AND REGULATIONS

### **I. AIM & PURPOSE**

Surana & Surana and UPES School of Law National Insolvency Law Moot Court Competition has been conceived with the aim of creating opportunities for learning the development of jurisprudence on emerging trends in Insolvency Law besides developing cutting-edge skills in research, writing, and advocacy.

### **II. VENUE AND DATE**

Surana & Surana and UPES School of Law National Insolvency Law Moot Court Competition shall be held **virtually** from **4<sup>th</sup> – 6<sup>th</sup> February, 2022**. (Dr.) Vijay Kumar Singh, Dean, UPES School of Law will be the National Administrator.

### **III. LANGUAGE**

The competition shall be in English language.

### **IV. ELIGIBILITY**

The competition is open for students who are pursuing LLB three year / five- year course during the current academic year.

### **V. TEAM COMPOSITION**

- a. Each team should consist 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. 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 **5<sup>th</sup> December 2021**. The teams must register online by **1<sup>st</sup> January 2022**. Teams will have to register online at [www.moot.in](http://www.moot.in). **Only 30 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 UPES.

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 within 2 days from the last date of registration.

**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

Scanned copy of 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:**

1. 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.
2. 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.

e. On receiving the provisional team code from moot committee/society of UPES you may proceed to pay the registration fees.

**f. A registration fee of Rs.1,500/- is to be paid online by one member of the team through**

**Net Banking to:**

- (i) Beneficiary Name: University of Petroleum and Energy Studies
- (ii) Account Number: 011594600000224
- (iii) IFSC Code: YESB0000115
- (iv) Branch: Yes Bank Ltd., Ground Floor, 56, Rajpur Road, Dehradun - 248001

Account details through which payment has been made along with receipt of the online payment shall be filled in the following Google Form:

## PAYMENT DETAILS FORM

### FEE ONCE PAID WILL NOT BE REFUNDED UNDER ANY CIRCUMSTANCES.

- g. A provisional team code shall be allotted to the registered teams by Host University after receipt of registration and payment.
- h. 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 30 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.

## **VII. ORIENTATION**

There will be an Orientation Program for all the participants followed by a draw of lots and exchange of memorials. Competition team codes and side will be allotted during the orientation only.

## **VIII. ROUNDS**

There will be two preliminary rounds, an Octa-Final, a Quarter Final, a Semi-Final and a Final round which will be conducted virtually.

### **A. Preliminary Round /Octa-Final Round/Quarterfinal Round**

- a. There will be two preliminary rounds of arguments per team, once as applicant & another as 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, Octa-Finals & Quarter finals will be held on **5th February 2022**, the top 16 (Sixteen) teams will qualify for the Octa Finals whereas the top 8 (Eight) teams will qualify for the Quarter Finals.
- e. Octa, Quarter & Semi-Finals will be knockout rounds.

### **B. Semi-Final Round**

- a. The Semi-Final Rounds will be held on **6<sup>th</sup> February 2022**. The pairing of Teams for the Semi-Final Rounds shall be done by a draw of lots / power matchups.

**C. Final Round:**

- a. The Final Rounds will be held on **6<sup>th</sup> February 2022**. The pairing of Teams for the Final Rounds shall be done by a draw of lots / power matchups.

**D. Results (Announcement):**

Results will be announced after the completion of the preliminary/ octa/ quarter/ semi-final rounds. The Final result and the winners of the various categories will be announced only during the valediction/ prize distribution ceremony.

**IX. MEMORIALS**

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

- a. Each team must prepare memorials for both parties to the dispute (Applicants and Respondent).
- b. The **soft copy** of the Memorials for the Applicant and the Respondent should be mailed to [mootcourt@ddn.upes.ac.in](mailto:mootcourt@ddn.upes.ac.in) with a copy to [mootcourt@lawindia.com](mailto:mootcourt@lawindia.com) on or before **26<sup>th</sup> January 2022**. Late submission will be penalized by two points each per memorial for every day of delay after due date. **Memorials beyond a delay of two days will not be accepted.** This will by default disqualify you from participating in the Competition.
- c. Once the soft copy of the memorials has been submitted, **no revisions, supplements, or additions will be allowed.**
- d. 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.
- e. The memorials have to be on A4 size paper and must contain:
- i. Cover Page
  - ii. Table of contents
  - iii. Table of abbreviations
  - iv. Index of authorities

- v. Statement of jurisdiction
  - vi. Statement of facts (1 page only and argumentative statement of facts would attract penalties)
  - vii. Statement of issues
  - viii. Summary of arguments (not more than 1 page)
  - ix. Arguments advanced (not more than 15 pages)
  - x. The prayer
- f. The font size should be 12 (doubles space) for body and for footnotes, it should be 10 (single space) & double space between two foot-notes. Footnoting must conform to the Oxford University Standard for Citation of Legal Authorities (OSCOLA), 4th Edition.
- g. The memorial must have a margin measuring one inch on all sides of each page.
- h. The page numbering should be on the top right side of each page.
- i. Bluebook Uniform Mode of Citation (20<sup>th</sup> Edition) or any other recognized uniform method of the citation must be strictly and consistently adhered to draft the memorials.
- j. Covers must be placed on briefs as follows:

**Applicant: Light Blue Colour; Defendant: Light Red Colour.**

- k. The cover page of the memorial must state the following:
- i. Team code (on the top right corner)
  - ii. The cause title
  - iii. Identify brief as Applicants / Respondents as is applicable
  - iv. Name of the Court/Tribunal appearing before.

**\* Name of the Participating University shall not be revealed on the cover page or any other pages of the memorial.**

- l. The 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.
- m. The teams may share a separate compendium, which will carry all the annexure and case

laws that have been referred to in the memorial. The compendium will have a white cover. The teams will retain them and may present them, through the Researchers, to the Judges during the rounds through screen sharing. Any identifying marks/seal of the college/university shall attract severe penalties including disqualification. The compendium will have to take care of this requirement.

## X. ORALROUND

### ❖ Preliminary Round, Octa-finals & Quarter finals

- a. Each team will get a total of **40 minutes** to present their case. This includes time for rebuttals.
- b. The division of time is at the discretion of the team members, subject to a minimum of **15 minutes** per speaker. Division of time shall be informed to the court officer/moderator before arguments begin.
- c. The researcher shall sit with the speakers at the time of the orals.
- d. No extension of time will be allowed.
- e. The dress code for all the rounds of competition shall be as per Bar Council of India rules for advocates.

### ❖ Semifinal Rounds

- a. Each team will get a total of **55 minutes** to present their case. Further 5 minutes for rebuttal and sur-rebuttal. (Total time for each time = 55 +5)
- b. The division of time is at the discretion of the team members, subject to a minimum of **20 minutes** per speaker. Division of time shall be informed to the court officer/ moderator before arguments begin.

### ❖ Final Rounds

- a. Each team will get a total of **60 minutes** to present their case. Further 5 minutes for rebuttal and sur-rebuttal. (Total time for each time = 60 +5)
- b. The division of time is at the discretion of the team members, subject to a minimum of **25 minutes** per speaker. Division of time shall be informed to the court officer/ moderator before arguments begin.

## XI. SCOUTING

Teams will not be allowed to observe the oral rounds of any other teams. Scouting is

strictly prohibited. Scouting by any of the team members shall result in disqualification.

## **XII. SCORING:**

### **A. Orals**

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

- a. Knowledge of facts
- b. Logic and reasoning
- c. Organization 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 & use of legal sources, authorities & 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:
  - i. Neatness, legibility, typographical errors or format errors
  - ii. The logical progression of ideas
  - 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

**NON- COMPLIANCE OF THE RULES MENTIONED IN CLAUSE IX ABOVE SHALL ATTRACT SEVERE PENALTIES.**

### **XIII. AWARDS**

A. Winning Team	Rs.20,000/-
B. Runner-up Team	Rs.15,000/-
C. Best Memorial	Rs.5,000/-
D. Second Best Memorial	Rs.2,500/-
E. Best Student Advocate	Rs.5,000/-
F. Second Best Student Advocate	Rs.2,500/-

In addition to the above awards, certificates will be given to other categories of winners. All participants will be awarded participation certificates. The awards ceremony shall be conducted virtually.

### **XIV. ANONYMITY**

- a. Student counsel may introduce herself/ himself to the court through their Team Codes and side represented. 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 books with a college logo, or college seal).

### **XV. POLICY FOR VIRTUAL ROUNDS**

- a) The Oral Rounds for the competition will take place virtually via **Google Meet** platform. Finals shall be conducted on **Zoom** 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 Google Meet/Zoom will be conveyed to the participating teams before the oral rounds.**
- e) Each participating member of every team is advised to install the Google Meet/Zoom 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. Locations in open spaces or 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) **During the orientation session, teams shall be allotted new IM Codes which will replace the provisional team codes.**
- p) Compendium & memorials shall be mailed to [mootcourt@ddn.upes.ac.in](mailto:mootcourt@ddn.upes.ac.in) along with the team competition codes (IM Code) on completion of the Orientation as directed by the organizers.
- q) 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.
- r) Participants will not be allowed to use the feature of personal chat on Google Meet to communicate with their team members or members of the opposing team.
- s) Teams shall not use internet or any other devices during the rounds for anything, except participating in the rounds.
- t) 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.

- u) 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.
- v) Appropriate court room demeanor is to be maintained. This is mandatory.
- w) Participants are expected to cooperate with the organizers and the judges, in case anyone faces any issue.
- x) 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.**

## **XVI. FINALITY**

Decision of the judges will be final.

## **XVII. RESEARCHER'S TEST**

- a. The Researcher's Test shall be conducted on **4<sup>th</sup> February 2022** via online medium.
- b. The Researcher's Test shall be in the format of both Multiple & Subjective questions with the questions based on the applicable law, precedents, and facts pertaining to the Moot Proposition.
- c. Participation in the Researcher's Test is mandatory for all the Teams and failure to participate may result in disqualification, subject to the discretion of the OC.
- d. The duration of the Researcher's Test shall be informed before 2 days and only the researcher, as designated by the teams in the registration form shall write the test.
- e. The participant shall ensure complete integrity and shall not resort to unfair means while attempting the test. Any such attempt shall result in disqualification.

## **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, Surana & Surana International Attorneys, Chennai and UPES School of Law, Dehradun . 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 UPES School of Law, Dehradun, 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](http://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.

#### **XIX. NATIONAL ADMINISTRATOR**

Prof. (Dr.) Vijay Kumar Singh, Dean, UPES School of Law & Chairman, Moot Court Association will be the National Administrator.

#### **XX. COMMUNICATION DETAILS:**

ANY CLARIFICATIONS FOR THE COMPETITION CAN BE SOUGHT FROM:

- A. For online registration on [www.moot.in](http://www.moot.in):

**Mr. Preetam Surana**

Advocate & Head – Academic Initiatives

Head (Admin), Litigation & Arbitration Practice

Surana & Surana International Attorneys

Email: [mootcourt@lawindia.com](mailto:mootcourt@lawindia.com)

Ph.: 044 – 2812 0000, Fax: 91 – 44 – 2812 0001

**B. Details of Faculty organizer:**

Faculty Convener	Email Account Details for Sending Soft copy of Documents
<p><b>Dr. Anju Pandey</b> Faculty Convener, Moot Court Association; UPES School of Law, University of Petroleum &amp; Energy Studies Knowledge Acres, Kandoli via- Prem Nagar, Dehradun- 248007</p>	<p><a href="mailto:mootcourt@ddn.upes.ac.in">mootcourt@ddn.upes.ac.in</a> with a copy marked to <a href="mailto:mootcourt@lawindia.com">mootcourt@lawindia.com</a></p>

C. Regarding any information about the completion including memorial submission / problem etc.

❖ **Faculty Members:**

<p><b>Dr. Anju Pandey</b> Faculty Convener, MCA Email: <a href="mailto:a.pandey@ddn.upes.ac.in">a.pandey@ddn.upes.ac.in</a> Phone: 9451286118</p>	<p><b>Mr. Joyanta Chakraborty</b> Faculty Co-convenor, MCA Email: <a href="mailto:j.chakraborty@ddn.upes.ac.in">j.chakraborty@ddn.upes.ac.in</a> Phone: 7409165021</p>
<p><b>Mr. Preetam Surana</b> Advocate &amp; Head – Academic Initiatives Head (Admin), Litigation &amp; Arbitration Practice Surana &amp; Surana International Attorneys Email: <a href="mailto:mootcourt@lawindia.com">mootcourt@lawindia.com</a> Ph.: 044 – 2812 0000, Fax: 91 – 44 – 2812 0001</p>	

❖ Student Organizing Body:

<p><b>Mr. Pushkar Deo</b> Student Convener, MCA Phone: 7028906525 E-mail : <a href="mailto:pushkardeo2000@gmail.com">pushkardeo2000@gmail.com</a></p>	<p><b>Mr. Zoheb Khan</b> Student Secretary, MCA Phone: 8871965181 E-mail : <a href="mailto:zohebkhan1998@gmail.com">zohebkhan1998@gmail.com</a></p> <p><b>Ms. Neha Bhandari</b> Student Secretary, MCA Phone: 7838294176 Email : <a href="mailto:nehab0025@gmail.com">nehab0025@gmail.com</a></p> <p><b>Mr. Vaibhav Tiwari</b> Student Treasurer, MCA Phone: 6388216386 Email : <a href="mailto:vaibhavtiwari1504@gmail.com">vaibhavtiwari1504@gmail.com</a></p>
<p><b>Ms. Sanjana Dwivedi</b> Student Secretary, MCA Phone: 9536726773 E-mail : <a href="mailto:Sanjanadwivedi188@gmail.com">Sanjanadwivedi188@gmail.com</a></p>	

❖ Student Members:

<p><b>Ms. Dhawaja Shrivastava</b> Student Co-Convener, MCA 70005122291</p>
<p><b>Mr. Manoneet Dwivedi</b> Student Co-convener, MCA 7007114661</p>
<p><b>Ms. Kanika Goswamy</b> Student Jt. Secretary, MCA 8360194488</p>
<p><b>Ms. Aashi Sharma</b> Student Jt. Secretary, MCA 7206020036</p>
<p><b>Mr. Aadarsh Mittal</b> Student Jt. Treasurer, MCA 7060715027</p>

For any communication - [mootcourt@ddn.upes.ac.in](mailto:mootcourt@ddn.upes.ac.in)

### **IMPORTANT DATES**

Commencement of Online Registration	<b>5<sup>th</sup> December 2021</b>
Last date for Online Registration	<b>1<sup>st</sup> January 2022</b>
Last date for seeking clarifications of Problem	<b>10<sup>th</sup> January 2022</b>
Last Date for Submission of Memorials	<b>26<sup>th</sup> January 2022</b>
Inauguration, orientation, Researchers Test	<b>4<sup>th</sup> February 2022</b>
Oral Rounds – Preliminary Round, Octa-finals & Quarter finals	<b>5<sup>th</sup> February 2022</b>
Oral Rounds - Semi-finals & Finals	<b>6<sup>th</sup> February 2022</b>
Valediction & Prize distribution	<b>6<sup>th</sup> February 2022</b>



**IV SURANA & SURANA AND UPES SCHOOL OF LAW NATIONAL INSOLVENCY LAW  
MOOT COURT COMPETITION, 2021-2022  
4<sup>th</sup> – 6<sup>th</sup> February 2022**

Date:

**Registration form/ Approval letter**

(Please fill in capital letters)

**Undertaking**

1. We certify that the materials submitted / to be submitted are prepared by us and agree to indemnify the organizers, i.e. Surana & Surana International Attorneys, Chennai and School of Law, UPES, Dehradun for any claim or dispute arising out of the further use and exhibition of these materials.
2. We confirm that we have read all the rules and regulations of the Surana & Surana AND UPES School of Law National Insolvency Law Moot Court Competition, 2021-22 and will comply the same; any violation may lead to disqualification.

**Name & Address of the participating Institution:**

**Notification Email:**

**Regd Mobile #:**

Name of the participant	Gender	Course	Year / Semester	Signature
<b>Teams Primary email id / Tel No. for communication</b>				

Seal & signature of the  
Head of the Institution