

SURANA & SURANA NATIONAL CORPORATE LAW MOOT COURT COMPETITION 2012

10 – 12 February 2012

RULES

Joint Organiser



Surana & Surana
International Attorneys

Host &
Joint organiser



JSS Law College,
Mysore

Venue

JSS Law College
New Kantharaje Urs Road
Kuvempunagar
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SURANA & SURANA NATIONAL CORPORATE LAW MOOT COURT COMPETITION, 2012

RULES AND REGULATIONS

I. Subject Matter and Date

The Surana & Surana National Corporate Law Moot Court Competition - 2012 shall be held from **10 – 12 Feb 2012** at JSS Law College, New Kantharaje Urs Road, Kuvempunagar, Mysore – 570023, Karnataka. Prof. K S Suresh, Principal, will be the National Administrator.

II. The competition shall be in the English language.

III. Eligibility

- a The competition is open for students who are studying LLB three year or five year course during the current academic year interested in Tax, Corporate and Commercial Laws and who belong to institutions that have been invited.
- b Students of The Institute of Chartered Accounts of India & The Institute of Company Secretaries of India are also eligible to participate. **Students who have completed their law/Company Secretary/Chartered Accountant degrees/courses are not eligible.**

IV. 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.
- d. Member Swapping: For the Semi-final and the Final rounds teams shall be permitted to request participants from other teams to plead before the court on their behalf. That participant shall however still retain his/her individual code and shall address the court accordingly. In the event a team, which has exercised such an option, wins the competition that particular participant shall receive 1/4th of the prize money and a winning certificate from the organisers.

V. Registration

The teams must register by **25 January 2012**. Communication should be sent on the college letterhead duly signed by the Principal. Registration particulars may also be sent by e-mail to mootcourt@lawindia.com and mootcourt.jsslcmysore@gmail.com marked as SURANA & SURANA NATIONAL CORPORATE LAW MOOT REGISTRATION as the subject of the mail.

VI. Rounds

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



Preliminary Round

- a. Lots will be drawn on 10 February 2012 evening at 4.30 p.m. and Team codes and sides will be allotted. The Registration and orientation and exchange of memorials will take place the same evening.
- b. There will be two preliminary rounds of arguments per team, once for petitioner & another for respondent.
- c. No team will face each other more than once in the preliminary rounds.
- d. Each team will face a different bench in their second round of arguments.
- e. Preliminary Rounds will be held on 11 February 2012 (Saturday), in two sessions (Pre-Lunch and Post-Lunch).
- f. Top eight teams will be selected on the basis of rounds won (two wins). In case of tie, then total of preliminary round scores will be taken. (The team with highest scores in preliminary round will advance to quarterfinals). Memorial marks will be added to both the preliminary rounds only.

Quarterfinal / Semi Final Round / Final Round:

Lots picked by the teams will decide the side of the arguments in Quarterfinals, Semifinals & Finals. Quarterfinals will take place on 12 February 2012 (Sunday) at 9.00a.m (may be advanced to Saturday 11 Feb 2012 if time permits) followed by the Semifinals 10.30a.m. The Finals will be held at 2.00 p.m. The Quarterfinals/Semifinal is knockout rounds.

Results (Announcement)

Results will be announced within 30 minutes after the completion of the preliminary / quarter / semifinal rounds. The Final result and the winners of the various categories will be announced only during the valediction / prize distribution ceremony.

VII. 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. **NOTE (IMPORTANT RULE):**

The briefs shall be consistent with the Direct Tax Code ('DTC' or 'the Code') as downloaded from the Indian income-tax department website ***only*** at:

[http://164.100.24.219/BillsTexts/LSBillTexts/asintroduced/DTC%20\(110%20of%202010\)%20To%20be.pdf](http://164.100.24.219/BillsTexts/LSBillTexts/asintroduced/DTC%20(110%20of%202010)%20To%20be.pdf)

However, with regard to the procedural aspects, the Income-tax Rules, 1962 & the existing Income-tax Forms shall be applicable.



No '*changes to the DTC*' by the Government of India before the competition would be applicable to the memorials, oral arguments and to the competition, unless such Bill is passed in the Parliament of India. Further, any news, articles or opinions by any experts with regard to changes in the DTC or any predictions, recommendations or proposals (including by any lobbyists) shall not be considered for the competition unless the same is incorporated in the draft DTC as published in the Income-tax department website.

If however, any '*changes to the DTC*' is made by the government not lesser in time than one week before the submission deadline for the memorials, then such changes to the DTC have to be incorporated in the memorials. However, any '*changes to the DTC*' by the government happen at any time before the oral arguments, then the same has to be given effect to and argued in such line during the oral submissions.

Explanation: '*Changes to the DTC*' means any amendment in the DTC either by passing such amended DTC Bill in the Parliament of India by the government or such amendments as published in the Income-tax department website.

The organizers reserve the rights with regard to factoring such changes in the problem, written and oral submissions. Every effort would be made by the organizers to intimate such changes to the DTC to all the participating teams by way of clarification via email. Teams are also welcome to intimate the organizers on such changes to the DTC.

- c. One advance hard copy of the memorials (both Applicant & Respondent) must reach the host institution (JSSLC) for evaluation by **2 February 2012** latest by 5.30 p.m. Soft copy of the memorials in word format must be mailed to **mootcourt@lawindia.com**. Memorials / Amendments to the memorials shall not be accepted after **7 February 2012**. Late submission will be penalized by one point each memorial for every day of delay after due date. No excuses in respect of delayed courier services will be entertained. The remaining 5 copies may be submitted during orientation at 4.30 p.m. on 10 February 2012.
- d. Once the memorials have been submitted, no revisions, supplements, or additions will be allowed.
- e. 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 and argumentative statement of facts would 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
- f. The font size should be 12 (doubles space) and for footnotes it should be 10 (single space) & double space between two foot notes.
- g. The memorials should be spiral / staple bound or stitched. Any other form of binding shall not be accepted.
- h. The memorial must have a margin measuring one inch on all sides of each page



- i. The page numbering should be on the top right side of each page.
- j. Covers must be placed on briefs as follows:
Petitioner: Light Blue Color; Defendant: Light Red Color.
Use of Cellophane sheets over the covers or inside will be penalized.
- k. The cover page of the memorial must state the following
 - The cause title
 - Identify brief as Petitioners / Respondents.
- l. 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 submit a separate paper book of not more than 100 pages (printed on both sides), 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 and may be submitted at the time of registration. Any identifying marks/seal of the college shall attract severe penalties including disqualification. There will not be any passing of notes to the judges. The paper book will have to take care of this requirement.

VIII. Oral Round

Preliminary Round & 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 maximum of 15 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.
- e. The researcher shall 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, subject to a maximum of 25 minutes per speaker.
- c. The oral arguments need not be confined to the issues presented in the memorials.
- d. The researcher shall sit with the speakers at the time of the orals.

IX. 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.

X. 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

XI. Awards

- a. Best Team Award – The Team will receive a Plaque and a cash prize of Rs 20,000/- only
- b. Runner up Team – The Second Best Team will receive a Plaque and a cash prize of Rs. 10,000/- only
- c. Best Memorial Award – The Team will receive a Plaque and a cash prize of Rs. 8,000/- only
- d. Second Best Memorial Award – The Team will receive a Plaque and a cash prize of Rs. 4,000/- only
- e. Best Speaker (Individual) – Plaque and a cash prize of Rs. 8,000/- only
- f. Second Best Speaker (Individual) – Plaque and a cash prize of Rs. 4,000/- only

In addition to the above awards plaques and certificates are given to other categories of winners. All participants will be awarded participation certificates



XII. 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 books with a college logo, or college seal).

XIII. Video Recording

- a. The organisers will arrange for the video recording of only the finals of the competition. Teams that wish to obtain a copy of the recording may do so on payment of Rs. 500/- per copy
- b. The recording shall be sent to the college on payment of Rs. 500/- per copy in the form of a Demand Draft (DD only) drawn on a nationalized bank payable at Mysore in favor of The Principal JSS Law College, Mysore.

XIV. DECISION OF THE JUDGES IS FINAL

XV. 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 JSS Law College, Mysore and Surana & Surana International Attorneys Chennai, in lieu of waiver of competition registration fees. 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 JSS Law College, Mysore 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.mootsite.com, 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.

XVI. Accommodation, Food & Transport

- (a) Accommodation (b) food and (c) transport between the hostel / hotel and the competition venue to the participating teams will be provided by JSS Law College, Mysore. The address and the phone number of the hotel / guesthouse will be provided in www.mootsite.com once it is finalized. The name and mobile number of the student volunteers in charge of transport / accommodation will also be made available after finalization. Teams should fill in their travel plan in the sheet available on page 10 positively by 5.30 p.m. on 6 February 2012.



XVII. Any clarifications for the competition can be sought from:

Regarding Registration / Submission of Memorials /Accommodation / Transport / etc.

Prof. Nagendramurthy,
Chairperson, Moot Court Committee,
JSS Law College
New Kantharaje Urs Road
Kuvempunagar
Mysore – 570 023, Karnataka
Ph: 0821 – 2548244; Fax: 0821 – 2548243
E-mail: nagendramurthy_law@rediffmail.com

Regarding case

Dr. S. Ravichandran
Advocate & Head, Academic Initiatives
Surana & Surana International Attorneys
Moot Court Coordinator
Email: mootcourt@lawindia.com
Ph: 044 – 2812 0000, Fax: 91 – 44 – 2812 0001

Student coordinators

1. Aninditaa Sudipa Chander – 097383 64744
2. Suraj Prakash – 081470 87312
3. Jeevan Kumar – 099647 99054
4. Vidyasagar – 080882 68858



**SURANA & SURANA NATIONAL CORPORATE LAW
MOOT COURT COMPETITION
JSS LAW COLLEGE, MYSORE
10 – 12 February 2012**



Date:

Registration form
(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 the JSS Law College, Mysore for any claim or dispute arising out of the further use and exhibition of these materials.

(All particulars must be given)

Name of the Institution:

Email:

Phone:

Fax:

Name	Signature
1.	
2.	
3.	

Seal & signature
of the Head of
the Institution

Completed form should reach Administrator by **25 January 2012** (attach scanned copy by email)

- a. E-mail: mootcourt.jsslemysore@gmail.com & mootcourt@lawindia.com – The subject of the email must be “SURANA & SURANA NATIONAL CORPORATE LAW MOOT REGISTRATION”
- b. Postal Address: Prof. Nagendramurthy, Chairperson, Moot Court Committee, JSS Law College, New Kantharaje Urs Road, Kuvempunagar, Mysore – 570 023, Karnataka.
Ph: 0821 – 2548244; Fax: 0821 – 2548243, E-mail: nagendramurthy_law@rediffmail.com



**SURANA & SURANA NATIONAL CORPORATE LAW
MOOT COURT COMPETITION-2012
JSS LAW COLLEGE, MYSORE
10 – 12 February 2012**



TRAVEL PLAN

1. Name of Institution -

2. Arrival Details -

a. Mode of Arrival: Train / Air / Bus _____

b. Train No./Bus No./Flight No. _____

c. Estimated Time of Arrival _____

3. Departure Details -

a. Mode of Arrival: Train / Air / Bus _____

b. Train No./Bus No./Flight No. _____

c. Estimated Time of Departure _____

4. Any other details:

(Signature & seal of the Head of the Institution)

Note:

This Travel Form must reach JSS Law College on or before February 6, 2012 at 5.30 pm.