

* Introduction →

company secretaries are imp. for ensuring compliance & acts as a link b/w company & its stakeholders.

They also represent the co. in legal matters before various tribunals.

To do this effectively, it is crucial for them to develop strong advocacy & presentation skills.

* Professional Etiquettes →

- Etiquette is the fine art of ^{be}having in front of others.
- Good professional etiquette is essential for success in competitive business world.
- lack of proper etiquette can hinder professional success & relationships.
- dealing confidently with clients, behaving appropriately in business ~~transactions~~ interactions & knowing table manners are crucial skills.
- It includes:
 - Dressing etiquettes
 - Intro. & greeting etiquettes
 - conversation etiquettes
 - communication etiquettes
 - Invitation & dining etiquettes.

* Dressing Etiquettes →

- ↳ wear neat, pressed formal clothes
- ↳ Ties for men
- ↳ woman should avoid revealing outfits, opt for ^{makeup} natural
- ↳ keep hair + facial hair neatly trimmed, polished shoes & maintain clean nails.
- ↳ wear clothes in which you are comfortable & can carry well. very imp. while you are in business meeting / client presentation.

* Etiquettes when attending Hearings →

- Avoid chewing gum, tobacco or pan masala
- silent the mobile devices to avoid disruption
- maintain silence throughout the hearing.
- organize docs properly to save time
- Be polite to everyone
- Don't take photos @ record audio/video.
- As a sign of courtesy to judge, bow to the judge just before leaving the courtroom.

* Handshake Etiquettes →

- ↳ Always stand when introducing yourself.
- ↳ Shake hand with your right hand.
- ↳ Shake hands firmly
- ↳ shake hands for few seconds
- ↳ maintain eye contact

* Communication Etiquettes →

- always speak politely & listen attentively
- Avoid interrupting while someone else is speaking
- Ask questions in a friendly manner
- Make eye contact.
- Be polite.

- Avoid foul language & gossip.
- Stay polite even when someone is Rude.
- keep your conversations - short
- upto point.
- maintain your sobriety.

* Invitation Etiquettes →

- ↳ Reply by the date given in invitation
- ↳ Arrive on time, not too early
- ↳ Don't stay too long.
- ↳ Don't bring extra guests unless invitation allows.
- ↳ Extend your thanks as you leave.
- ↳ mingle / converse with other guests.
- ↳ If you cancel after initially accepting the invitation, phone your regrets as soon as possible.

* other etiquettes →

- silence your phones during meetings. But in case you receive a phone call, it is best to discreetly excuse yourself from the meeting & take it out into the hall / other area.
- Always stand to greet seniors when they enter the room.
- maintain a comfortable distance while talking to others (arm's length basis)
- If you forget someone's name : politely ask them to remind you.

* COURT craft →

CS represent clients before various tribunals / quasi-judicial bodies & need to learn advocacy for effective results.

Advocacy means to convince the judge & others that my position in the case is proper interpretation.

It is a skill acquired through practice, not just in legal proceedings but also in client interactions, negotiations & public speaking.

* preparatory points →

- gather detailed info.
- listen attentively
- ask clarifying questions
- Explain legal position clearly.
- give correct picture of judicial view to problem posed by the client.

* Drafting of pleading →

- use relevant law & court observations
- Draft interim relief prayers carefully
- Be truthful & highlight the key facts
- Do not suppress the facts

For opponents : Respond promptly & raise objections with legal references

- Address each point of petition in reply.

For petitioner : file a rejoinder promptly

- Address opponent's points clearly.

↓
(initiates the case)

* oral pleadings →

- Read petition, laws, judgements carefully
- Take notes of key points
- have copies of relevant judgements ready.
- prepare before presentation of case.

* while presenting your case →

- submit citations' list to court master
- Start humbly
- State brief facts
- provide copies of decision / judgements.
- complete all points slowly but firmly
- Allow opponent counsel uninterruptedly.
- conclude your arguments by reiterating (read again to give clarity.) your points in brief.
- take instructions from clients in advance as to alternative reliefs.

#

* As regards to advocacy →

- Identify client's goals
- Analyse facts & legal context
- connect legal & factual issues
- Develop presentation strategy.
- outline facts & legal framework carefully / clearly.
- use effective communication skills.
- structure + present in simple form the legal framework of the case.
- Demonstrate an understanding of professional ethics, etiquettes and conventions of advocacy.

↓
Advocacy is about presenting facts clearly & fairly, showing what's right & wrong.

↓
CS should use their legal knowledge to present strong & convincing arguments.

↓
preparation is very imp. for successful presentation.

↓
CS needs to develop skills to present cases confidently in front of the tribunals.

* CONDUCT & ETIQUETTE →

Duty of court / Tribunal → CS shall:

- Act with dignity & self respect
- Show respect towards the court
- avoid illegal / improper means to influence court ^{decisions}
- prevent clients from using unfair practices, refuse representation if necessary.
- Don't represent organisations where you hold an executive position.
- Avoid cases where you have personal financial interest.

Duty to client → CS shall:

- Not to withdraw from engagements without sufficient cause.
- Be honest about any conflict of interest.
- uphold the interest of client by all fair means.
- only follow client's instructions, not anyone else's
- Don't take advantage of client's trust.
- Be prompt, orderly & systematic

- Advice, inform & arrange interim relief for protection of subject matter of case.
- ensure execution of decision.

Duty to opponent → cr shall →

- Don't communicate directly about dispute with other party's advocate.
- keep your legitimate promises made to opposite party.

* Imp. principles of Advocacy →

- Act in best interest of client
- keep the client informed
- maintain client confidentiality.
- Act impartially
- follow client's wishes & instructions
- carry out the instructions diligently & competently.
- keep a track of status of case & take follow up wherever necessary.
- ~~not~~ understand the requirements of procedure before the tribunal.

* Advocacy tips → while pleading, a judge looks for →

① Clarity - keep your arguments short and to the point.

② Credibility - make sure what you say is believable and convincing.

③ Demeanour - Your body language matters, judges observe how you present yourself.

④ Eye contact - while pleading, maintain eye contact with Judge.

- ⑤ Voice modulation — use your voice to emphasize key points & avoid raising it in anger.
- ⑥ Confidence & precision — Stay confident & communicate clearly to hold judge's attention.
- ⑦ Psychology — Understand judge's mindset to make your version more persuasive.
- ⑧ Be likeable — Be more likeable than your opponent to win judge's favour.
- ⑨ Learn to listen — pay attention to judge and use humour when appropriate to ease tension.
- ⑩ Knowledge & preparation — Thorough knowledge & preparation of case = crucial.
- ⑪ Order sheet — Track the court's order sheet to stay updated on proceedings & rulings!

* APPEARANCE ETIQUETTES →

Arguments on preliminary submissions →

- present true facts suppressed / not disclosed by opposing party.
- mention relevant law / objections
- use legal arguments to support the case.
- Ensure that you understand law & relevant judgements before making submissions.
- If an objection, like limitation applies, raise ^{it} in your preliminary submission.

Arguments on Merits →

- an argument on merits focuses on parties' pleaded facts.
- point out contradictions in ~~opposite~~ ^{of} opponent's claims and evidence.
- If the opponent claims something without evidence, emphasize ^{on lack} of proof.
- Similarly, if opponents alleges (claims) notices but lack receipts, highlight lack of evidence.
- use these points to weaken opponents' case before the court.

Closing argument →

- imp. stage in hearing
- present before tribunal what decisions / relief you want.
- It can turn a case.
- prepare well & present carefully.

Other important points →

- Note down all imp. points for hearing.
- keep sufficient copies of material.
- understand & follow client's intention.
- keep record of all hearings.
- Take advice from client w.r.t. all possible reliefs that he may sought.

* Pre-requisites for entering appearances →

Legal pleadings / written statement →

- legal objections should be clearly stated under "preliminary submission / objections." with relevant legal provisions.
- If a claim is based on an unregistered agreement, that requires regn, argue that it can't be considered as evidence.

- common objections include :

✓
lack of
required
notice

↓
No cause
of action

↓
Plaintiff
has no
right to
use

↓
claim is
barred by
Res judicata/
limitation

↓
Court
lacks
jurisdiction

↓
suit is premature

Drafting of Affidavit in Evidence - Imp. considerations :

- ① Review the law : Study Sections 101-111 of Indian Evidence Act before preparing the affidavit in evidence.
- ② Best evidence : Best evidence comes from someone directly involved in the case. If not, another person can testify in their place.
- ③ petitioner's Affidavit : If the petitioner is involved in the contract, they must file affidavit in evidence.

④ Support with documents → facts in the affidavits must be backed by evidence. legal principles don't need to be proved.

⑤ Expert witnesses: For complex issues, expert witnesses must provide evidence through affidavits and may need cross-examination.

⑥ Addⁿ docs: Include docs to challenge opponent's defense.

⑦ Outside witnesses: You can bring outside witnesses if allowed by the court.

⑧ Original documents: Always provide original docs / carbon copies, not just photocopies.

⑨ Types of Evidence:

ORAL EVIDENCE

Statement from witnesses.

DOCUMENTARY EVIDENCE

Docs / digital records shown to the court.

Rule of Adverse Inference →

party holding the best evidence must produce it, failure may lead to an adverse inference.

In complex issues like engineering / medical etc., expert evidence is necessary.

Understanding the jurisdiction of tribunal → filing a case without knowing tribunal jurisdiction will waste time.

- understand it before filing. wrong tribunal choice may harm professional reputation.

Prepare approach / plan →

- professionals need a plan to guide their actions.
- A plan helps them to handle cases effectively.

* **DRESS CODE** →

- ① Your appearance matters in professional life — it's the 1st impression you make.
- ② How you

}	dress	shows whether you are professional or not.
	— speak	
	— act	
- ③ Dressing well shows professionalism, sophistication, intelligence & credibility.
- ④ Dress code may vary, but it is important to dress appropriately for your workplace.
- ⑤ Proper dress up projects a competent image & helps you to be taken seriously at work.

* Guidelines for professional dress of CS →

ICSI recommends specific dress guidelines for members:

- ① Men wears navy blue suits with white shirt and ties.
- ② Women wears saree (or) other dress of sober colour with navy blue jackets.
- ③ Employee wears dress specified by Employer.
- ④ PCS should adhere to dress codes specified by tribunals (or) ICSI guideline recommendations.

* ICSI (Guidelines for attire & conduct of CS) 2020 →

PREAMBLE

CS must dress formally & respectfully when appearing before Quasi - Judicial bodies, as their attire reflects professionalism & support's court's dignity and authority.

OBJECTIVES

- ① Provide etiquette rules for appearing before ^{courts} Quasi judicial bodies.
- ② Ensure respect for authority & maintain dignity of profession.
- ③ Prevent disrespectful behaviour towards judicial authorities.
- ④ Guide on appropriate attire.
- ⑤ Project professional image & build CS's profession ^{brand}.

DRESS CODE

Male members

- Navy Blue suit (coat & trousers) with CS logo.
- Neck tie (ICSI)
- white full sleeve shirt
- formal shoes.

Female members

- Navy blue corporate suit (coat/ trousers) with CS logo.
- ~~any~~ saree with navy blue blazer + CS logo.
- Sober footwear - shoes / bellies, wedges. etc.

RESTRICTED ITEMS

Clothes that are too revealing, unpolished shoes, short skirts, gloves, veils, earphones, jewellery, traditional wear, gaudy accessories/ attire etc.

EXCEPTIONS

✓ ①
Turbans for religious or ~~cos~~ cosmetic reasons in sober colours.

↓ ②
Head gear following community standards.

↓ ③
Hearing aid for those with hearing loss.

↓ ④
Male members shall be clean shaven unless trimmed beards are a sign of self-expression
ⓐ as a religious/ cultural symbol.