

Form No. III
Appellate Application
Regulation 5.9 (h)

1. Arbitration Matter No. _____

Appellant _____
(Name of party filing appeal)
Vs

Respondent _____
(Name of party against whom appeal is filed)

2. List of documents / copy enclosed with the claim

Tick the documents enclosed along with the application

- ☐ **Statement of claim of appeal***
☐ Copy of award appealed against
☐ List of documents to support statement of claim for appeal
☐ Other, please specify _____

* Statement of case is mandatory to be attached with the Form III. It should provide a brief description of the case, date-wise summary of events leading to the dispute, basis of arriving at the claim, amount and relief sought through Arbitration and any other details. Please note that the soft copies of the documents mentioned above has to be submitted along with submission of the physical copy.

3 Payment details for cost of appeal

- (i) Where the party filing the appeal is an investor having claim/counterclaim of upto Rs. 10 lakh, then a payment of Rs. 22,000/- in addition to the stamp duty charges as applicable is to be paid towards the cost of appeal.
- (ii) In all cases other than those mentioned in clause (i), a payment of Rs.42,000/- in addition to the stamp duty charges as applicable is to be paid towards the cost of appeal.

The payment in addition to the stamp duty charges as applicable is to be paid towards the cost of appeal in the favour of **National Stock Exchange of India Limited**

Cheque / DD / Pay Order No	
Instrument Issue Date	
Amount (Rs)	
Bank Name	

(iii) For appeal filed by Trading member: Enclose authorization for debiting the Exchange dues account for Rs.54,000/- along with Statutory dues - stamp duty, service tax, etc. which are required to be paid additionally. (Format of Mandate is provided in **Annexure A**)

4. Choice of arbitrators: (Please refer the note below)

- i. _____
- ii. _____
- iii. _____
- iv. _____
- v. _____

Note:

- a. The list of Arbitrators is available on the Exchange website at Home>Domestic Investor>Arbitration>About Arbitration. Please select the arbitrators from the regional list of arbitrators where the appeal is filed.
- b. A minimum of five names which are different from the ones who passed the original arbitral award appealed against are required to be provided.
- c. Form III along with the documents should be submitted in sets of five
- d. Arbitrator appointment is done through an computerized automated process wherein neither the Exchange nor the parties are directly involved.

5. (a) I will personally represent the case.

(b) I would represent the case along with my representative _____ in his/her capacity as _____.

(c) On my behalf _____ will represent in his/her capacity as _____.

Note- Investor may attend the proceedings and defend the matter on his own or appoint Authorized Representative to defend the matter by executing a notarized Power of Attorney. In case investor has appointed a Laywer/Advocate to represent his case, then a duly signed Vakalatnama will be required.

Place*: _____

Date* : _____

* Mandatory

Appellant's Signature*

Annexure A

Mandate to be included in Form I

**Authorization letter to be given by Trading Member / Clearing Member
[Regulation 5.8 (a)]**

(On letter head of Trading / Clearing member)

To

Date:

The Arbitration Department
National Stock Exchange of India Limited
Exchange Plaza, 5th floor,
Plot No. C/1, G Block,
Bandra-Kurla Complex,
Bandra (E),
Mumbai – 400 051

Dear Sir / Madam,

I Mr/Ms....., (designation) of
.....(name of trading member / clearing
member name) hereby authorize the Exchange to debit all the costs relating to
arbitration matterfrom our 'Exchange Dues Account'.

Name, Signature & Seal*

Place:

*Should be signed by a Proprietor / Designated Partner / Designated Director

CHECKLIST

While applying for Appeal the following things need to be mandatorily provided

1	The documents have been submitted in sets of five	
2	Statement of Claim of Appeal and supporting documents is attached	
3	Payment towards the Appeal is made	
4	List of 5 Arbitrators is provided	
5	Form III is dated and signed	

Note: In case the details of the form are not filled as required, the same might be considered as deficiency in the application. Please note that the soft copies of the documents mentioned above has to be submitted along with submission of the physical copy.

Please note that statutory dues - stamp duty, service tax, etc. are required to be paid additionally. The Stamp duty payable on the award shall be as per the State Stamp Act or Indian Stamp Act as applicable.