September 22-24, 2021

**Organized by** – Moot Court Committee, Amity Law School, Amity University Madhya Pradesh, Gwalior



#### **ABOUT THE ORGANIZER**

Amity Law School, Amity University Madhya Pradesh was established in 2013. Amity Law School conducts three integrated 5 years under-graduate courses, LLB (Hons) (3 Years), LL.M. (One Year) and PhD programmes in law-related subjects.

#### ABOUT THE MOOT

During these unprecedented times, we are keen to nourish minds that are comfortable and skilled in dealing with the differing legal systems and cultures that make up our global community.

Amity Law School is proud to announce that it is organizing the AUMP National Virtual Moot Court Competition, 2021 which is scheduled to be held from September 22-24, 2021.

Moot Court Committee, Amity Law School, Amity University Madhya Pradesh is privileged to invite you for advancing premier level arguments and to hone your research as well as argumentative skills on a National level event of Moot Court Competition which shall be judged and presided over by the Hon'ble Justices (Sitting or retired) of the Court of law, renowned Advocates in the arena of Criminal Laws and distinguished Academicians.

Having successfully organized various webinars and competitions in a row, this edition speaks of our efforts that aim at improving the whole experience by ensuring that the teams are met with a challenging problem based on contemporary and developing aspects of the law.

This Competition will be conducted virtually allowing the students to hone their advocacy skills while sitting safe at their homes. This Competition aims to provide an opportunity to the participants to develop the requisite skills for a dynamic process of Advocacy.

### ELIGIBILITY

The Competition shall be open for 'bona fide' students who are pursuing an integrated **5 years** or **3 years** Law Program in India from an institution recognized by the Bar Council of India.





September 22-24, 2021

**Organized by** – Moot Court Committee, Amity Law School, Amity University Madhya Pradesh, Gwalior



## TEAM COMPOSITION

Each team shall consist of a **minimum of two (2) members and maximum of three (3) members**. Teams comprising of two members shall only have **two (2) speakers** and teams comprising of three members shall have **two (2) speakers one (1) researcher**.

### REGISTRATION

All interested teams must register themselves on or before **September 10, 2021** by diligently filling the registration <u>Google Form</u>. Only one form per team is to be submitted. The registration fees for this Competition is **INR 1,000**/- per team.

## **MODE OF PAYMENT**

Mode of payment of the registration fees shall be via **Bank Transfer** to be made on following details:

Bank: Axis Bank Limited, Kanwal Complex, Shrimant Madhav Rao Scindia Marg, City Centre, Gwalior, M.P. (IFSC Code: UTIB0000158), Pin 474002.

Account Name: Amity University Madhya Pradesh

Account Number: 911010033371991

#### **KEY DATES**

Last date of registration: September 10, 2021

Last date to seek clarifications: September 08, 2021

Last date Memorial Submission: September 14, 2021

Date of the Competition: September 22-24, 2021



September 22-24, 2021

**Organized by** – Moot Court Committee, Amity Law School, Amity University Madhya Pradesh, Gwalior



#### **CONTACT INFORMATION**

In case of any queries, please contact us <u>mccamitylawschool@gmail.com</u>. You may also contact the following:

Prof. (Dr.) Sandeep Kulshrestha (Convener, Moot Court Committee): +91-7000915701

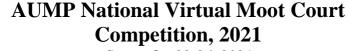
Ms. Eshita Mittal (Member, Moot Court Committee): +91-8989924648

Ms. Nupur Bhatt (Member, Moot Court Committee): +91-9131664340

## IMPORTANT LINKS

For the Moot Proposition, <u>click here</u>.
For the Rules of the Competition, <u>click here</u>.
For the Registration Form, <u>click here</u>.
For updates, like our <u>Facebook page</u>. Do follow us on <u>Instagram</u>.

# AMITY LAW SCHOOL Gwalior



September22-24, 2021

**Organized by** – Moot Court Committee, Amity Law School, Amity University Madhya Pradesh, Gwalior



#### AUMP NATIONAL VIRTUAL MOOT COURT COMPETITION RULES, 2021

The rules mentioned herewith shall be called the AUMP National Virtual Moot Court Competition Rules, 2021 (hereinafter referred as "The Rules"). The Rules mentioned herewith are not exhaustive. The Rules shall be strictly adhered to; any deviation from the same shall result in immediate disqualification, unless exempted by the Organizers. All decisions made by the Organizers in case of any disputes, doubts or other problems of such nature, shall be final and binding on the participating teams. The Organizers further reserve the right to alter, amend or add rules herein at any point of time. Imposition of penalties is exclusively the right of the Organizers, in case the Rules are not adhered to by the Participating teams.

I. GENERAL

#### **1. DEFINITIONS**

The following terms shall have the corresponding meanings unless otherwise specified:

- a. *'Competition'* shall refer to the AUMP National Virtual Moot Court Competition, 2021.
- **b.** *'Court Room'* shall refer to the online live video conferencing platform where the oral rounds shall take place.
- c. 'Official Email' shall refer to the official e-mail ID of the AUMP National Virtual Moot Court Competition, 2021, i.e., <u>mccamitylawschool@gmail.com</u>
- d. 'Organizers' shall refer to the Moot Court Committee, Amity Law School, and AmityUniversity Madhya Pradesh.
- e. *'Participating Team/ Institution'* shall refer to the team that has registered itself for the Competition as per the Rules.
- f. 'Rules' shall refer to the AUMP National Virtual Moot Court Competition Rules, 2021.



September22-24, 2021

**Organized by** – Moot Court Committee, Amity Law School, Amity University Madhya Pradesh, Gwalior



#### 2. VENUE

Given the ongoing pandemic, Competition shall be organized on an online live video conferencing platform that shall be informed to the participating teams well in time.

### 3. LANGUAGE

The official language for the Competition shall be English only.

#### 4. DRESS CODE

Participants are required to adhere to the following dress code while present in any court room during the Competition.

**a.** *Ladies*: White Salwar and Kurta or White shirt and black pant / black skirt along with black coat and black shoes.

**b.** *Gentlemen*: White shirt, black trousers, black tie along with black coat and black shoes.

### **II. ELIGIBILITY**

The Competition shall be open for 'bona fide' students who are pursuing an integrated **5** years or **3** years Law Program in India from an institution recognized by the Bar Council of India.

#### III. TEAM COMPOSITION

 Each team shall consist of a minimum of two (2) members and maximum of three (3) Members. Teams comprising of two members shall only have two (2) speakers and teams comprising of three members shall have two (2) speakers one (1) researcher.



September 22-24, 2021



**Organized by** – Moot Court Committee, Amity Law School, Amity University Madhya Pradesh, Gwalior

- 2. Each team should identify such speakers and researcher at the time of registration. The researcher is not permitted to speak except under special cases and only with express permission of the Organizers/ judges.
- 3. There shall be no circumstance whatsoever that a team consisting of more than 3 members be allowed to participate. No observer/additional member can be part of a team in any capacity.
- 4. There shall be no substitution of any team member after a team has submitted its Registration Form, except with the permission of the Organizers.
- 5. No cross teams i.e. members of different universities, shall be allowed.

## **IV. REGISTRATION**

 All interested teams shall, first, register themselves by diligently filling the registration Google Form by clicking the following link:

https://forms.gle/PekF5D82RLcWBNin6

Only one form per team is to be submitted.

- 2. Forms received after the deadline shall not be considered for registration.
- 3. The receipt of form shall be acknowledged within 48 hours of submission via mail.
- 4. On receipt of acknowledgement by a team, the team shall have to make the payment of registration fees amounting to **INR 1,000/-** (non-refundable) within 48 hours and the payment confirmation of same has to be sent on the Official Email (by attaching screenshot of payment confirmation in the mail). Non-Payment of registration fees within stipulated time may lead to cancellation of registration.
- 5. Registration of a team shall be confirmed only after the receipt of payment by the Organizers. The confirmation of registration shall be conveyed via mail.
- 6. Upon validation of registration, each team shall be allotted a team code before the competition. During the competition teams shall be identified by the team code allotted to them.



September 22-24, 2021



**Organized by** – Moot Court Committee, Amity Law School, Amity University Madhya Pradesh, Gwalior

- 7. Teams shall not disclose their identity whatsoever, i.e. names of team members, name of their institution, city, etc. or any other information which has the effect of disclosing their identity and affiliation with a particular institution, except in the registration form, during the Competition. Any such disclosure shall invite strict penalty including disqualification. The decision for the same shall be at the discretion of the Organizers.
- 8. Interested teams must register themselves by September 10, 2021.

## V. MODE OF PAYMENT

Mode of payment of the registration fees shall be via **Bank Transfer** to be made on following details:

$\square$	Axis Bank Limited, Kanwal Complex, Shrimant Madhav Rao	
Bank	Scindia Marg, City Centre, Gwalior, M.P. (IFSC Code:	
	UTIB0000158), Pin_474002.	
Account Name	Amity University Madhya Pradesh	
Account No.	911010033371991	

## VI. MEMORIAL

- 1. Each team participating in the Competition must prepare a memorandum on behalf of the Prosecutor/Applicant/Petitioner and on the behalf of the Defendant/Respondent.
- 2. Each team must send its memorandum via mail in both, PDF and Word formats, latest by September 14, 2021. No hard copies are to be submitted. The memorials shall be mailed on the Official Email with the subject of the mail being "Memorial Submission 'Team Code'". Example Subject of mail for memorial submission of Team Code 01 shall be "Memorial Submission TC01". In case the subject is not as prescribed, memorials shall be deemed to have not been received and the Organizers shall not be responsible for any delay and default.



September 22-24, 2021



**Organized by** – Moot Court Committee, Amity Law School, Amity University Madhya Pradesh, Gwalior

- 3. The Memorials shall consist of following:
  - **a.** Cover Page
  - **b.** Table of Contents
  - c. Index of Authorities
  - d. Statements of Jurisdiction
  - e. Statement of Facts
  - f. Statement of Issues
  - g. Summary of Pleadings
  - h. Argument Advanced
  - i. The Prayer
- 4. The Memorials shall be typed on A4 size paper having one inch margin on all the sides.

COMMIT

- The font shall be Times New Roman, font size being 12 and line spacing shall be 1.5.
   For footnotes, font size shall be 10 with line spacing of 1.0.
- 6. Page numbering shall be at bottom of each page.
- 7. The memorials must state the TEAM CODES on top-right of each page in the following fashion:
  - For Prosecutor/Applicant/Petitioner's Memorial: P-\*Team Code\*
  - For Defendant/Respondent's Memorial: R-\*Team Code\*
- 8. Participants must follow the Bluebook 20<sup>th</sup> edition style of citation.
- 9. The Cover Page of the Memorial for the Prosecutor/Applicant/Petitioner must be BLUE, while for the Defendant/Respondent's Memorial, it must be RED.
- 10. The Cover page shall include:
  - a. Name of the Competition
  - b. Name of the Court Y LAW SCHOO
  - c. Cause Title
  - **d.** The Cover Page must specify either "Memorial for Prosecutor/Applicant/Petitioner" or "Memorial for Defendant/Respondent"



September 22-24, 2021

**Organized by** – Moot Court Committee, Amity Law School, Amity University Madhya Pradesh, Gwalior



- 11. Statements of Facts must not exceed two (2) pages. Further, Arguments Advanced must not exceed twenty five (25) pages and the total number of pages of the memorials must not exceed thirty five (35). Exceeding the limit, the memorial shall attract negative marking of one (1) point each for every additional page.
- 12. Compendium or any other references are optional and must be submitted to the Organizers through mail at the time as that of submission of the memorial. Only one Compendium to be submitted from each side, for easy accessibility of the judges. The Compendium must be submitted in both PDF and Word formats.
- 13. The contents of the Memorial must not be plagiarized beyond the limit of 20% or else it shall amount to total deduction of memorial marks or disqualification upon the discretion of the Organizers.
- 14. Once the written submissions have been submitted, no revisions, supplements, or additions will be allowed.
- 15. The participating teams shall submit the memorials for both the sides on or before September 14, 2021.
- 16. Submission of the Memorials after the specified deadline shall result in a deduction of five (5) marks each day. Failure of submission of memorial would result in disqualification of the team from the competition.
- 17. Each team shall be provided with the copy of the written submission of the opponent team prior to the respective rounds.
- 18. The Organizers of this Competition shall be permitted to use all the Memorials for any reporting or compilation without further permission. The Submission would be deemed to be permission. Moreover, the copyright in the prize-winning Memorials would be vested with the Organizers.

**GWALIOR** 



September 22-24, 2021

**Organized by** – Moot Court Committee, Amity Law School, Amity University Madhya Pradesh, Gwalior



#### **19. Marking Scheme for Memorials**

Every Memorial will be marked on a total of 50 marks. The following is the criteria for evaluation of memorials:

Sr. No.		Marks		
1.	Knowledge of facts and Law	10		
2.	Quality and Extent of Research	10		
3.	Recognition of Issues and Structure of Arguments	10		
4.	Proper and Articulate Analysis	10		
5.	Overall Presentation (Clarity, Style, Grammar, Language, Structure, Format, Citations and Plagiarism)	10		
	TOTAL	50		

## VII. STRUCTURE OF THE COMPETITION

- 1. The Moot court Competition shall comprise of following rounds:
  - a. Preliminary Rounds
  - b. Quarterfinal Rounds
  - c. Semifinals Rounds
  - **d.** Final Round
- 2. After the orientation of the teams, the draw of lots shall take place and the team has to argue on behalf of both sides, the Prosecutor/Applicant/Petitioner and the Defendant/Respondent in the preliminary rounds.



September 22-24, 2021

**Organized by** – Moot Court Committee, Amity Law School, Amity University Madhya Pradesh, Gwalior



- 3. Top 8 teams, based on the *cumulative score of memorials and preliminary rounds*, shall qualify for the quarterfinals. Further, the top 4 teams, based on the results of the quarterfinal rounds, shall qualify for the semi-final rounds. Finally, the top 2 teams will be selected for the final round.
- 4. In case of tie, highest memorial marks will be taken into consideration to decide the winner.

## A. DRAW OF LOTS

Before the Preliminary, Quarterfinal, Semifinal and Final rounds, draw of lots shall be done to determine the side on which the Team shall be arguing. The Teams shall be mailed the fixtures for each round. Further, the Teams shall also be mailed the soft copy of their opponent's Written Submission prior to the oral rounds.

### **B. ORAL SUBMISSIONS**

- i. The oral rounds shall be conducted online on a live video conferencing platform.
- ii. As specified hereinabove, each team shall have two speakers who shall further divide the oral submissions between themselves.
- iii. At no point of time during the Competition, any speaker shall reveal their identity.
- iv. Any compilation or detailed pleadings will not be entertained. The participants are requested to bring with them the authorities/case laws on which they want to rely during the arguments.
- v. At the commencement of each round of Oral Submissions, each team shall notify to the Court Officer the division of time between the two speakers. Further, each team must notify to the Court Officer the amount of time that the team wants to reserve for their rejoinder / sur-rejoinder. A maximum of five (5) minutes may be reserved for the rejoinder/ sur-rejoinder.
- vi. Only one speaker from each team shall be permitted to rejoinder / sur-rejoinder.The sur-rejoinder shall be limited to the rebuttals made by the opponent team.



September 22-24, 2021

**Organized by** – Moot Court Committee, Amity Law School, Amity University Madhya Pradesh, Gwalior



- vii. Five (5) minutes and Two (2) minutes before the completion of the allocated time for each speaker, there will be a warning bell, and at the completion of the allocated time for each speaker there will be a final bell.
- viii. In case a speaker continues to speak after the completion of his/her specified time, the additional time which he/she consumes will attract negative marking at the discretion of the judges. The judges shall have all the rights to grant opportunity to give rejoinder or sur-rejoinder and to allocate additional time.
  - ix. During the course of oral submissions the participants cannot submit to the court any material containing pictorial representation whatsoever. Further, the participants are not be permitted to make any audio/visual representation nor allowed to use any online search engines during their submissions.
    - If at any instance a submission is made with any material in violation of rules and if any picture, sketches, photos, cartoons, caricatures, audio film, video film, projector-slide or a computer-generated image is used or submitted or presented to the court, the teams shall be subject to disqualification.

## PRELIMINARY ROUND

- i. There shall be two Preliminary Rounds. Each team shall argue on behalf of both sides, the Prosecutor/Applicant/Petitioner and the Defendant/Respondent.
- Time limit for the oral submissions in each preliminary round shall be twenty five (25) Minutes for each team including rejoinder / sur-rejoinder. No speaker mayreserve more than fifteen (15) minutes for his/her individual oral submissions.

iii. Scoring Criteria for Preliminary Round

The Marks shall be given as per following criteria for preliminary round

- ✓ Written memorials- 50 marks
- ✓ Oral arguments 100 marks
- ✓ Total 150 Marks

The decision of the judges as to assessment of oral submission shall be final.



September 22-24, 2021



**Organized by** – Moot Court Committee, Amity Law School, Amity University Madhya Pradesh, Gwalior

#### QUARTERFINALS, SEMIFINAL AND FINAL ROUND

- Time limit for the oral submissions in quarterfinal round shall be thirty minutes (30) for each team including rejoinder / sur-rejoinder. No speaker may reserve more than fifteen (15) minutes for his/her individual oral submissions.
- ii. Time limit for the oral submissions in semifinal and final rounds shall be thirty-five minutes (35) for each team including rejoinder / sur-rejoinder. No speaker may reserve more than fifteen (15) minutes for his/her individual oral submissions.

		5 - 1
Sr. No.	Criteria	Marks
1. 🦯	Application of law relevant to the case	20
		A CONTRACT
2.	Answers to court questions	20
A		
3.	Advocacy and presentation + Time adherence	20
4.	Interpretation and use of facts+ Research relevant to the case	20
		C.
5.	Overall performance + Court Etiquettes	20
	TOTAL	100

## SCORING CRITERIA FOR ORAL SUBMISSIONS

#### VIII. RESULT

The final results and the winners shall be announced during Valedictory Ceremony. The decision of the judges on the performance of the participants shall be final and binding on all the participants.

### IX. CONDUCT OF COMPETITION

 The Competition will be conducted by using online live video conferencing platform. The details of the platform shall be shared to the teams via mail.



September 22-24, 2021

**Organized by** – Moot Court Committee, Amity Law School, Amity University Madhya Pradesh, Gwalior



- To ensure the smooth functioning of the competition, in adherence to the rules of Social Distancing and Government Guidelines, all participants will participate from their respective homes. No team shall be seated together for the purpose of the Competition.
- 3. An Invitation link of the meeting shall be sent to participants on their respective email IDs submitted by them in Registration Form and through WhatsApp prior to each round.
- 4. The Participants are expected to be seated in a quiet space free from any echo and isolated from any form of disturbances.
- 5. The Participants must make sure that the Background is plain and sober which does not disturb the judges. Preference to be given to a White background. The participants must also ensure that their appearance should be same as a Passport size photo, i.e., only their head and shoulders should be visible, and that the participant should be visible in Portrait Mode / Vertical Manner.
- The participants should make necessary preparations before entering the meeting room
   I.e. downloading the required Application and ensuring that their device is compliant
   to the terms mentioned.
- 7. The participants should only use their team code as their username while joining meeting room.
- 8. All participants should be online at least five (5) minutes prior to the commencement of their round.
- 9. Following is the system requirement that is mandatory to participate in the competition:
  - **a.** Computer/Laptop with a well configured web cam.
  - **b.** A stable Internet Connection with speed more than 5 MBPS.
  - c. Headphones or Earplugs that have a working microphone.
- 10. Any participant who is unable to fulfil criteria mentioned in Rule IX.9 will be ineligible to participate in the Competition.
- 11. While in a round, the participants must have their camera on all the time.
- 12. The participants should unmute their mic when it is their turn to present their arguments, speak or when asked by the judge or the Organizers to do so.



September 22-24, 2021

**Organized by** – Moot Court Committee, Amity Law School, Amity University Madhya Pradesh, Gwalior



- 13. The participants should not use group text feature of the Organizer's hosting platform to communicate with one another.
- 14. No additional documentation or screen sharing will be allowed and any information which has to be provided to the court should be submitted beforehand along with the Compendium and the Memorial.
- 15. In case internet connection of Speaker 1 is lost or if that Speaker faces any other difficulty in connecting, a time limit of five (5) minutes shall be given to that speaker to reconnect. After five (5) minutes are over, Speaker 2 will take over to put forth his arguments. If Speaker 1 fails to reconnect, the team shall be marked on the basis of arguments put forth by Speaker 2 and Speaker 1 only if he has put forth any arguments before disconnection.
- 16. In case internet connection of Speaker 2 is lost or if that Speaker faces any other difficulty in connecting, a maximum of five (5) minutes shall be given to reconnect. If that Speaker fails to reconnect, the team shall be marked only on the basis of the arguments put forth by Speaker 1 and Speaker 2 if he has put forth any arguments before disconnection.
- 17. The Organizers shall not be responsible for any loss due to slow or non-functional Internet Connection during the Competition.
- 18. In any case whatsoever, the decision of the Organizers shall be final and binding?
- 19. The organizers shall have the rights reserved over all the audio, video or submitted memorials and compendium and the organizers are free to use or dispose them off in the manner they deem fit.

# X. CLARIFICATIONS

- 1. Participating teams may seek clarifications via mail on the Official Email with subject title as 'AUMP National Virtual Moot Court Competition, 2021 Clarification.'
- 2. The last date to seek clarifications to the Moot Proposition is **September 08, 2021**.

# AMILITY WINE CONTRACTOR

## AUMP National Virtual Moot Court Competition, 2021

September 22-24, 2021



**Organized by** – Moot Court Committee, Amity Law School, Amity University Madhya Pradesh, Gwalior

## XI. AWARDS AND CERTIFICATES

- 1. THE WINNING TEAM shall be awarded with Certificates and Cash Prize.
- 2. THE RUNNER UP TEAM shall be awarded with Certificates and Cash Prize.
- 3. BEST MEMORIAL shall be awarded with Certificates and Cash Prize.
- 4. The BEST MOOTER shall be awarded with Certificate and Cash Prize.
- 5. CERTIFICATES OF PARTICIPATION shall be given to all the participants.

### XII. KEY DATES

and the second se	3 M P State	
Date of the Competition		September 22-24, 2021
Last date of registration	1/25 Feb	September 10, 2021
Last date to seek clarification	s	September 08, 2021
Last date Memorial Submissi	on	September 14, 2021

## XIII. MISCELLANEOUS

- 1. Strict action shall be taken if found scouting through a team member or otherwise or through any other unfair means.
- 2. All participants are expected to maintain proper decorum in the Court during the Competition and are expected to conduct themselves in a manner befitting the legal profession.
- 3. The Organizers reserve the right to take appropriate action for any unethical, unprofessional and immoral conduct.
- 4. The Organizers decision as regards the interpretation of rules or any other matter related to the competition will be final and binding.
- 5. If there is any situation which is not contemplated in the rules, the Organizers decision on the same shall be final and binding.
- 6. The Organizers reserve the rights to vary, alter, modify, or repeal any of the above rules if so required and as they deem appropriate.

September 22-24, 2021

**Organized by** – Moot Court Committee, Amity Law School, Amity University Madhya Pradesh, Gwalior



## XIV. CONTACT DETAILS

The following may be contacted for clarification of any queries:

- 1. Dr. Sandeep Kulshrestha (Convener, Moot Court Committee) +91 7000915701
- 2. Ms. Eshita Mittal (Student Co-ordinator, Moot Court Committee) +91 8989924648
- 3. Ms. Nupur Bhatt (Student Co-ordinator, Moot Court Committee) +91 91316 64340
- 4. Mr. Abhinav Agarwal (Member, Moot Court Committee) +91 88892 99671
- 5. Mr. Mudit Goswami (Member, Moot Court Committee) +91 79873 48659
- 6. Ms. Chitranshi Pal (Member, Moot Court Committee) +91 6268 545 405
- 7. Ms. Divya Sharma (Member, Moot Court Committee) +91 96850 28848
- 8. Mr. Sanskar Garg (Member, Moot Court Committee) +91 94794 06412
- 9. Mr. Ajay Singh Tomar (Member, Moot Court Committee) +91 77709 55645
- 10. Ms. Akansha Sharma (Member, Moot Court Committee) +91 75808 83088
- 11. Mr. Vibhor Shrivastava (Member, Moot Court Committee) +91 78695 19375

[NOTE: DIRECTOR, Amity Law School shall have all power to amend, modify or repeal any rulehereinbefore mentioned, at any point of time.]

# AMITY LAW SCHOOL Gwalior



September 22-24, 2021



**Organized by-** Moot Court Committee, Amity Law School, Amity University Madhya Pradesh, Gwalior

#### MOOT PROPOSITION

- 1. Prabhas was a successful graduate from an esteemed college of Delta State of Indica. Since college time, Prabhas was an active social worker. After passing the college, Prabhas joined an NGO namely *Safal* to give voluntary services to the downtrodden sect of the society along with his regular job at MNC of his city. The NGO *Safal*, worked specially for the women and children in the rural and remote areas who are deprived of their rights and privileges and who are unaware of the same. Being connected to the NGO, Prabhas was very active in providing help to the women and children who were deprived of education, nutrition, also who were subjected to inequality and crime.
- 2. There were many instances where the *Safal* with active participation of Prabhas had successfully inspired parents of girl child to give them permission to carry on their education and sometimes Prabhas saved the married women from domestic violence or sexual abuse and had ended up attaining justice for such victims.
- 3. After being associated for as long as 15 years with *Safal*, Prabhas became a prominent member of NGO and was respected by the State Government for such noble contribution to the society. At various conferences and functions, Prabhas was awarded and acknowledged for his noble work which he did for women and girl child.



September 22-24, 2021



**Organized by-** Moot Court Committee, Amity Law School, Amity University Madhya Pradesh, Gwalior

- 4. In the year 2020, he came across a girl, named 'Gudia', of 9 years of age in village Dalhousie, of Delta State, whose parent's complaint against an elementary school teacher 'Vijay' who demanded bribe from the said girl and few more children of the said school for admissions. Also, Prabhas noticed numerous irregularities done by the school administration, which violated the Government Order regarding collection of fees from the economically downtrodden students.
- 5. Eventually, Prabhas filed a case against the said schoolteacher Vijay for demanding bribe from the students. Later, Prabhas came to know that the same teacher had molested three girls including 'Gudia'. The parent of other girl child 'Baby', who was molested by the same teacher, had filed a complaint before the headmaster against sexual assault of their girl child. But no action was taken by the school management against the said schoolteacher Vijay. Thus, with the bonafide intention to pressurize the school authority, Prabhas posted the entire incident of sexual assault done by the teacher along with details of the molested girls and the accused schoolteacher Vijay on Facegood a social media platform. The post which Prabhas wrote gave details about the names, class, division, school and address of the victim girls.
- 6. The Home Minister of Delta state took the cognizance on the post of Prabhas and directed the Police authorities to register a case against the accused schoolteacher under section 10 of Protection of Children from Sexual Offences Act, 2012.



September 22-24, 2021



**Organized by-** Moot Court Committee, Amity Law School, Amity University Madhya Pradesh, Gwalior

- Police in turn lodged an FIR against said schoolteacher Vijay under section 10 of Protection of Children from Sexual Offences Act, 2012 at Police Station Dalhousie based on said post on Facegood.
- 8. The Child Welfare Committee (CWC) ordered registration of an F.I.R. against Prabhas for disclosing the identity of the victim of child sexual abuse under section 23 of the Protection of Children from Sexual Offences Act, 2012. According to Prabhas, he was unaware that all such minute details given in the post would attract Section 23 of the Protection of Children from Sexual Offences Act, 2012. Later, after two days, noticing the details of the victims available on post he wrote, Prabhas deleted the post from Facegood. But before Prabhas could delete the post, the CWC had already ordered for registration of FIR. Consequently, Police Station Dalhousie registered a case under section 23 of the Protection of Children from Sexual Offences Act, 2012 against Prabhas.
- 9. The police are still investigating the case but, Prabhas has filed a Writ Petition under Article 226 of the Constitution of Indica before the Hon'ble High Court of Delta, challenging the registration of F.I.R. against him. The same is still pending; However, Court granted an interim order that Prabhas be not arrested till further order, while issuing notice to the State of Delta.



September 22-24, 2021



**Organized by-** Moot Court Committee, Amity Law School, Amity University Madhya Pradesh, Gwalior

10. Aggrieved by the registration of FIR against him, School Teacher Vijay also filed a Writ Petition under Article 226 for quashing the FIR mainly on the ground that FIR cannot be lodged based on social media report. The High Court of Delta admitted his petition and issued notice to State of Delta. Now, the petition filed by Vijay is listed for final hearing.

## All the laws of Indica are in *pari materia* to the Indian laws.

Note – Teams are required to frame their own issues on the above-mentioned facts.

