



AMITY  
UNIVERSITY  
JAIPUR

Moot Court Society,  
Amity Law School Jaipur  
*presents*

# AMITY NATIONAL MOOT COURT COMPETITION (ONLINE) 2022



Date: - 8TH -10TH APRIL  
2022

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## **ORGANISING TEAM**

### **CHIEF PATRON**

**Dr. Aseem Chouhan**

**Chancellor**

### **PATRON**

**Prof. (Dr.) Rakesh Bhatnagar**

**Vice Chancellor**

**Prof. (Dr.) Amit Jain**

**Pro Vice Chancellor, Amity University Rajasthan**

### **CHAIRPERSON**

**Prof. (Dr.) Saroj Bohra**

**Director, Amity Law School**

**Dr. Ashu Maharshi**

**Organising Secretary**

**Ms. Sonali Bhatnagar**

**Faculty Convenor**

**Mr. Aditya Rawat**

**Faculty Convenor**

**Deepesh Katariya**

**Moot Court Society Head**

**Student Convenor**

**Harshvi Chaumal**

**Moot Court Society Head**

**Student Coordinator**

## About the University



Amity University Rajasthan is one of the latest proud additions to the legacy of the 25 years old Amity Education Group of India, set up with a vision to contribute to nation-building through excellence in higher education, research, and innovation. Amity University is ranked among the top 3% Universities globally by QS- 2018 ranking Amity University Rajasthan is a part of Amity India's leading education group with more than 1,50,000 students, 11 universities, 150 institutions, 25 schools & pre-schools, 10 overseas campuses in Singapore, Mauritius, USA, Beijing, Nanjing, South Africa, London, Dubai, Abu Dhabi & Romania. Amity University Rajasthan is built on a foundation that embodies all the qualities that have made Amity institutions world-class over the last two decades. Located in a sprawling 150-acres green campus on Delhi Jaipur Highway, the University with its state of-the-art infrastructure has instituted global standards in education, training, and research with a focus on the latest teaching methodologies.

### About Amity Law School

The school has been established under Amity University Rajasthan to achieve world-class legal education in the state and the country. In its constant pursuit of excellence, it is always endeavouring to create a legacy of leadership, professional acumen, and excellence.



The Amity Law School (ALS), Amity University, Rajasthan has been established in the year 2008. ALS is offering courses in Ph.D., LL.M (1Year), BA-LL. B(H), B. Com-LL. B(H), B.B.A. LL. B(H). Amity Law School with its holistic approach to legal education provides impetus to law students to evolve into not only legal professionals but also as responsible and socially empathetic citizens of the State.

The institute has well-qualified, experienced, and dedicated faculties who are committed to the cause of quality legal education. ALS is affiliated with Amity University and approved by the Bar Council of India.

The methods of teaching in the Law School include lecture discussions, case law analysis, moot court training, project assignment, and placement programs. In addition, the school organizes seminars on contemporary legal issues, conducts clinical courses, and trains students in legal research and legal writing. By the time a student completes the program, he/she will be fully equipped with the required theoretical knowledge and practical experience in the field of law to become a full-fledged responsible member of the legal profession.

### About Moot Court Society

It's an honour and privilege to announce that Amity Law School Jaipur has established its Moot Court Society (MCS) under the aegis of Director, Amity Law School Jaipur. A pleading is to a pleader is what Moot Court Society is to a legal, educational institute. The motto of the Amity Law School, Jaipur's Moot Court Society, is "*per excellentiam varius*", which when translated

in English means "aligned for excellence".

The Moot Court Society (MCS) is a student-led initiative that works hand in hand with the college administration to plan, train, and organise moot court-related activities. The MCS hopes to inculcate a strong tradition of successful mooting for years to come for the students of Amity Law School, Jaipur. The



MCS aims to conduct training programs and organize workshops regularly for honing drafting skills, pleading and argumentative prowess of nascent legal minds. Through its faculty and students' body, it organises various internal moot court competitions, thereby encouraging students to participate in the external moot court competitions organised both nationally and internationally.

## About The Competition



Moot courts are academic simulations of advocacy that educate students about the law and the judicial process. Students, acting as lawyers "try" a case before the court or judge. Additionally, students are also trained to serve as "law clerks, reporters, or amicus brief writer. The objective of the Moot Court Competition is to develop academic and advocacy excellence among students and inculcate the spirit of leadership and teamwork, leading to academic and professional excellence. In this competition, a hypothetical court scenario is created where the students act like the Counsellors (Advocates) presenting each side (Plaintiff and Defendant) based on evidence and substantive questions of facts or law present their respective arguments. The adjudicator tests them on various facets of laws and judge them accordingly.

## DIRECTOR'S MESSAGE

Greeting from Amity Law School, Amity University Rajasthan!

Amity Law School, Rajasthan aims at imparting holistic legal education. The course structure has been designed to be at par with the international academic standards. Eminent jurists, judges, policymakers, and senior advocates form a part of regular interaction with the students to acquaint them with the realities of the contemporary Legal world. Students receive practical exposure through Moot Court, Court Visits and Legal Aid Camps to understand the intricacies of Law programs.



After the successful completion of MUN 1.0, National Trial Advocacy Competition, Youth Parliament, and various other national level competitions we are delighted to organize Amity National Moot Court Competition (Online), 2022. A moot court competition simulates a court hearing, in which participants analyse a problem, research the relevant law, prepare written submissions, and present an oral argument. Moot problems are typically set in areas of law that are unsettled or that have been subject to recent developments. Moot court is the paramount activity of a Law college. It provides practical knowledge of Law and gives a first-hand experience of the court craft and etiquettes. It helps greatly in inculcating skills of advocacy. Amity Law school offers a congenial environment for the development and enhancement of the personality of students with these opportunities to be utilized in the best interest and overall development. With a spirit as enthused, it seeks to progress and endeavours to achieve distinguished results and set new benchmarks of success.

“Ambition is the path to success. Persistence is the vehicle you arrive in”.

Looking forward for the active participation of your institution in the competition

**Prof (Dr.) Saroj Bohra,**

**Chairperson, Amity National Moot Court Competition (Online), 2022**

**Director, Amity Law School (AUR)**

### MESSAGE FROM THE COMMITTEE

We are glad to announce that Moot Court Society (MCS) of Amity School of Law, is organizing the II<sup>nd</sup> edition of its National Moot Court Competition (Online) from 8<sup>th</sup> to 10<sup>th</sup> April 2022. Amity Law School has a vibrant mooting culture. The main goal of organizing this competition is because Mooting helps in the overall development of an individual as a good and proficient lawyer by enhancing practical knowledge, teamwork, research, and writing skills, and building confidence. Mooting is very important for law students as it provides immense knowledge and practical aspects of our legal system. It is a proud feeling to be a part of ALS Moot Court Society which strives for raising the standards of research and innovation and creating a platform for the future pioneers of the legal field who are globally competent and technologically skilled to respond to the future challenges of emergent national and international scenarios. Therefore, we are expecting teams from various reputed and prestigious institutions across the country

There is a proverb that practice makes a man perfect. The closest experience that a law student can get to appearing in a court is mooting. I hope that participants shall make use of logically compulsive reasoning to demolish the arguments of their opponents. I wish the participants all the luck for the competition and a wonderful opportunity to learn and grow.”

We are looking forward to hosting your team in this competition. The Amity Law School hopes to create a strong tradition of successful mooting for years to come for the students

On behalf of the committee,

**Dr. Ashu Maharshi**

**Organising Secretary,**

**ANMCC, 2022**

**Ms. Sonali Bhatnagar**

**Faculty Convenor,**

**ANMCC, 2022**

**Mr. Aditya Rawat**

**Faculty Convenor,**

**ANMCC, 2022**

## **AMITY NATIONAL MOOT COURT (ONLINE) COMPETITION RULES**

The rules mentioned herewith shall be called the National Moot Court Competition Rules, 2020 (hereinafter referred to as “The Rules”). The Rules mentioned herewith are not exhaustive and shall be strictly adhered to. Any deviation from the same shall result in immediate disqualification. All decisions made by the Organizers in case of any disputes or doubts shall be final and binding on all the participating teams. The Organizers reserve the right to alter, amend or add rules herein at any point of time. In case the Rules are not adhered to by the Participating teams, Organizers reserve the right to impose penalties.

### **VENUE**

Moot Court Competition is virtual and information concerning the video conferencing platform shall be informed to the participating teams accordingly.

### **LANGUAGE**

The official language for the Moot Court Competition shall be English only.

### **ELIGIBILITY**

The Competition shall be open for the law students who duly enrolled and are pursuing an integrated 5 years or 3 years Law Program or LLM program from an educational institution recognized by the Bar Council of India.

### **TEAM COMPOSITION**

Each team shall consist of two speakers and one researcher. Teams are to notify which members are the respective speakers and researcher. No change of speaker to researcher or vice-versa shall be permitted except upon application to the Organizing Committee.

### **INSTITUTIONAL APPROVAL**

Institutional approval shall not be mandatory, however, only the first two teams from an institution will be allowed to register.

## **MEMORIAL**

1. Each team participating in the Competition must prepare a Written Submission on behalf of the Petitioner/Applicant and on the behalf of the Defendant/Respondent.
2. A Written Submission shall be identified solely by the team code assigned to the team. The Written Submission shall not, in any way, disclose any fact pertaining to the identity of the team or members.
3. Each team must send its memorandum via mail in PDF format, latest by 2<sup>nd</sup> April 2022, 11:59 P.M. along with 1 soft copy, 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 – ALS 01. 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.
4. The file names of the electronic copies of the memorial must contain only the team code and the side being represented in the following format.
  - a. E.g.: For team code 01 it shall be “01P” AND “01R”, P being for “Petitioner” memorial and “R” for “Respondent” memorial and so forth.
5. The Memorials Submission shall consist of the following mandatory heads:
  - a) Cover Page
  - b) Table of Contents

- c) List of Abbreviations (in Alphabetical order)
- d) Index of Authorities (with page number of authorities cited)
- e) Statement of Jurisdiction
- f) Statement of Facts (not exceeding 2 pages)
- g) Statement of Issues
- h) Summary of Arguments (not exceeding 2 pages)
- i) Arguments Advanced (not exceeding 25 pages)
- j) The Prayer (not exceeding 1 page)

6. The Cover page shall include:

- a) Team code in the upper right-hand corner.
- b) The name and place of the Jurisdiction
- c) The relevant provision under which case is filed
- d) Name of parties and status
- e) The side for which written submission has been prepared
- f) Memorial filed on behalf of ....

*It is further clarified that the Organizing Committee reserves the right to refuse acceptance of any memorial which is in violation of any of the enumerated norms*

7. The Memorials shall be typed on A4 size paper having one-inch margin on all the sides.

8. The font shall be Times New Roman, font size should be 12 and line spacing shall be 1.5. For footnotes, the font size shall be 10 with a line spacing of 1.0.
9. Page numbering shall be at bottom of each page.
10. Participants must follow the Bluebook 20th edition style of citation.
11. The Cover Page of the Memorial for the Petitioner/Applicant must be BLUE, while for the Defendant/Respondent's Memorial, it must be RED. The color of the cover page shall compulsorily be Red and Blue (as the case may be) and no other variant of the colour shall be used.
12. The memorial shall not exceed Twenty-Five (25) pages (excluding cover page, table of content, and index). Upon exceeding the limit, the memorial shall attract a penalty of negative marking of one (1) for every additional page.
13. Once the written submissions have been submitted, no revisions, supplements, or additions will be allowed.
14. Submission of the Memorials after the specified deadline shall result in a deduction of three (3) marks each day. Failure of submission of memorial would result in disqualification of the team from the competition.
15. Each team shall be provided with a copy of the written submission of the opponent team at least 20 minutes prior to the respective rounds.
16. 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.

Every Memorial will be marked on a total of 100 marks. The following is the criteria for evaluation of memorials:

<b>EVALUATION CRITERIA</b>		
<b>Sr. No.</b>	<b>CRITERIA</b>	<b>MARKS</b>
1.	Knowledge of facts and Law	20
2.	Quality and applicability of Research	20
3	Recognition of Issues and Articulation of Arguments -	20
4.	Structural Coherence and Consistency in the arguments	20
5.	Overall Presentation (Clarity, Style, Grammar, Language, Structure, Format, Citations and Plagiarism)	20

### **PLAGIARISM**

Participants must refrain from using the same language or copying from others' memorials and other sources. Even the use of publicly available information must be accompanied by proper citations. These rules shall apply to all parts of the memorial and not just the Pleadings and Prayer. Failure to comply with this rule may result in the guilty participants being debarred from mooting in Amity National Moot Court Competition (Online), 2022. The Organizing Committee in consultation with the memorial judges will take a final decision regarding the determination of cases of plagiarism and penal measures for such action.

### **CONDONATION OF DELAY**

Delay in submission of memorials will not be condoned on grounds like failure connection, network issues, etc. However, the Moot Court organizers shall have final discretion in case of an application for condonation of delay. Decisions could range from full condonation to reduction of marks as it may deem fit.

## STRUCTURE OF THE COMPETITION

1. The Moot court Competition shall comprise of following rounds:

- a) **Preliminary Rounds:** Each team will have to present both sides i.e., Petitioner/Plaintiff or Respondent/ Defendant in this round. The top eight (8) teams, based on the cumulative score of memorials and preliminary rounds shall qualify for the quarterfinals.
- b) **Quarterfinal Rounds:** The top eight (8) teams from the Preliminary Round shall proceed to the quarterfinals. This will be a knockout round; hence winners will be decided based on courtroom win. The draw of lots will take place after this round.
- c) **Semi-Final Round:** The winning 4 teams from the quarterfinals shall proceed in this round. This round will again follow the knockout rule. The draw of lots will again take place after the competition of this round.
- d) **Final Round:** The winner from each courtroom fixture i.e., 2 teams from the semi-final round shall proceed to this round.

2. Each team will have a team code (designated during the draw of lots). Each team shall be assigned with a team code decided by the Organizing Committee of ALS. The team shall use their team code for identification purposes. The name of the participants should not appear on or within the written submissions. Signature pages are prohibited.

3. After the virtual orientation of the teams, the draw of lots shall take place and the team must argue on behalf of the side in accordance with the draw of lots, (the Petitioner / Applicant/ Petitioner or the Defendant/ Respondent) in the preliminary round.

4. In the case of tie, the highest memorial marks will be taken into consideration to decide the winner.

### **DRAW OF LOTS**

In all the rounds there shall be the draw of lots.

Before the Quarterfinal, Semi-final, and Final rounds, the draw of lots shall be done to determine the side on which the Team shall be arguing i.e., Petitioner/Plaintiff or Respondent/Defendant. The draw of lots will also decide which team you will be competing against (There will be no pre-decided fixtures) 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.

### **ORAL SUBMISSIONS**

1. The oral rounds shall be conducted online on a live video conferencing platform.
2. The language to be used in the oral rounds is ENGLISH.
3. As specified hereinabove, each team shall have two speakers who shall further divide the oral submissions between themselves.
4. At no point of time during the Competition, any speaker shall reveal their identity.
5. 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 the Court Officer of 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 rebuttal/ sur-rebuttal.

6. 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.
7. In case a speaker continues to speak after the completion of his/her specified time, the additional time that he/she consumes will attract negative marking at the discretion of the judges. The judges shall have all the rights to grant the opportunity to give rebuttal or sur-rebuttal and to allocate additional time.
8. During oral submissions, the participants cannot submit to the court any material containing pictorial representation whatsoever. Further, the participants are not permitted to make any audio/visual representation nor allowed to use any online search engines during their submissions.
9. If at any instance a submission is made with any material in violation of rules and if any pictures, 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.
10. The Best Speaker Award shall be determined based on the individual aggregate score of the Speaker taken only from the Preliminary Rounds.

### **PRELIMINARY ROUND**

1. In Preliminary Round, each team shall argue on behalf of one side (the Petitioner Applicant/Petitioner or the Defendant/Respondent) in accordance with the draw of lots.

2. Time limit for the oral submissions in the preliminary round shall be twenty (20) minutes for each team including rebuttal / sur-rebuttal. No speaker may reserve more than twelve (12) minutes for his/her individual oral submissions.

### **3. Scoring Criteria for Preliminary Round**

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

- a) Written memorials- 100 marks
- b) Oral arguments - 100 marks
- c) Total - 200 Marks

The decision of the judges as to the assessment of both oral rounds and written submissions shall be final.

### **QUARTERFINALS, SEMIFINAL, AND FINAL ROUND**

I. Time limit for the oral submissions in the quarterfinal round shall be thirty minutes (30) for each team including rebuttal/ sur-rebuttal. No speaker may reserve more than fifteen (15) minutes for his/her individual oral submissions.

II. Time limit for the oral submissions in the semi-final and final rounds shall be forty minutes (40) for each team including rebuttal / sur-rebuttal. No speaker may reserve more than twenty-five (25) minutes for his/her individual oral submissions.

The maximum time for Rebuttal is 5 minutes. Time allocation for Rebuttals depends upon the discretion of the bench.

**SPEAKERS WOULD BE ADJUDGED UNDER THE FOLLOWING CATEGORIES  
 DURING THEIR ORAL PRESENTATION:**

<b>EVALUATION CRITERIA</b>		
<b>S.NO</b>	<b>CRITERIA</b>	<b>MARKS ALLOTTED</b>
1	Knowledge of Law	20
2	Advocacy Skill	20
3	Analysis & Authorities Cited	20
4	Response to Judge' Questions	20
5	Court Manners	20
	<b>Grand Total</b>	<b>100</b>

<b>PENALTIES</b>	
<b>Late Submission</b>	2 mark per memorial every 12 hours after the deadline.  Disqualification beyond 48 hours
<b>Wrong File Name</b>	1 Mark per Memorial
<b>Failure to submit Memorial as one File</b>	1 Mark per Memorial
<b>Exceeding Page Limits</b>	1 Mark per exceeding page
<b>Failure to include the section in the</b>	3 Marks per section

<b>Memorial</b>	
<b>Failure to include the required information on the cover page</b>	1 Mark per violation
<b>Failure to use the correct color coding</b>	2 Marks per Memorial

## CLARIFICATIONS

Participating teams may request for clarifications to the official moot problem by **28<sup>th</sup> March 2022** by sending an email to [alsjmcc2022@gmail.com](mailto:alsjmcc2022@gmail.com). Full list of clarification will be released by way of electronic mail communication to participant's id.

**Please Note:** Clarifications through any medium other than emails i.e., Phone Calls/ WhatsApp/SMS/DM on Instagram/private messages on Facebook to Organizers will not be entertained and considered.

## RESULT

The results and the winners shall be announced on the same day of the final round. The decision of the judges on the performance of the participants shall be final and binding on all the participants.

## **IMPORTANT DATES**

<b>ANNOUNCEMENT OF THE MOOT COURT COMPETITION</b>	<b>3<sup>rd</sup> March 2022</b>
<b>RELEASE OF MOOT PROPOSITION</b>	<b>3<sup>rd</sup> March 2022</b>
<b>LAST DATE OF REGISTRATION</b>	<b>30<sup>th</sup> March 2022</b>
<b>LAST DATE FOR SEEKING CLARIFICATIONS</b>	<b>28<sup>th</sup> March 2022</b>
<b>FINAL DATE TO SUBMIT MEMORIAL</b>	<b>2<sup>nd</sup> April 2022</b>
<b>DATES FOR ORAL ARGUMENTS</b>	<b>8<sup>th</sup> – 10<sup>th</sup> April 2022</b>

## REGISTRATION

The participants may register for this competition via the link below

<https://forms.gle/CaKgnar7PJU5goL17>

**REGISTRATION FEES: RS.2500/-**

## PAYMENT DETAILS

### **Bank Details for NEFT/IMPS**

**Name of Institution:** Amity University Rajasthan

**Bank Name:** Axis Bank Ltd.

**Address:** No O/15, Green House, C Scheme, Ashok Marg, Jaipur,  
Rajasthan, 302001

**IFSC:** UTIB0000010

**ACCOUNT NUMBER:** 010010100496797

**TYPE OF ACCOUNT:** SAVINGS

**SUBMIT THE PROOF OF PAYMENT THROUGH EMAIL:**

[alsjmcc2022@gmail.com](mailto:alsjmcc2022@gmail.com)

## **CONTACT DETAILS**

Any other queries (other than the Moot Problem) may be directed at the following persons:

### **ORGANISING SECRETARY**

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Associate Professor, Amity Law School, Amity University Rajasthan

**Contact details: +91 9413343775**

### **FACULTY CONVENORS**

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**Mr. Aditya Rawat**

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### **STUDENT CONVENORS**

**Mr. Deepesh Katariya**

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**Contact details: +91 9119210883**

**Ms. Harshvi Chaumal**

B.B.A LL.B.(Hons) SEM X

**Contact details: +91 9829522551**

**OR**

**Email address: [alsjmcc2022@gmail.com](mailto:alsjmcc2022@gmail.com)**

**Social networking link: <https://www.instagram.com/alsjmcc>**

### MOOT PROBLEM

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1. The **Republic of Adion** (hereinafter referred to as *Adion*) is a developing democratic republic nation in the *Esian* continent. It is the second-most populous country in the world. As per the census report of 2011, the total Population is 121.09 crores. The majority of the population belongs to the *Aryadharma* religion (96.63 crores: 79.8%). The population belonging to the minority religion *Saracen* constitutes 14.2% of the total population (17.22 crores).
2. Delta is the capital city of *Adion*. Being one of the largest republic democracies across the world, the Republic of Adion has the lengthiest written Constitution, which is the supreme law of the land.
3. Most legal orders in *Adion* are based on a hierarchical structure of legal acts with the constitution at the apex. All legislation and other legal measures of a State must be compatible with the constitutional values. According to the Constitution of Adion, the State has certain obligations towards its citizens, including but not limited to the guarantee of fundamental rights, and the **Supreme Court of Adion** acts as a preserver of rights.<sup>1</sup> If a law or other legal measure adopted by the State is inconsistent with the constitution, it should be declared null and void by the competent judicial institution.
4. On 24 August 2017, the **Supreme Court of Adion**, in an epochal judicial pronouncement, declared the right to privacy as a fundamental right protected under the Constitution of Adion.

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<sup>1</sup> The Regional Higher Courts in Adion separately exercise their respective writ jurisdiction to entertain limited matters pertaining to issues of public interest.

5. **Adion Institute of Technology** (hereinafter referred to as **AIT**), situated in the city of Mahagun is one of the prominent higher educational institutes for technological education in the Republic of Adion. **Inush**, aged 20 years, is one of the engineering students studying B. Tech (CSE) at AIT. He is currently in his second year and is a very bright student. He has aced several competitions for the College and is an avid developer, works as a freelancer for both app and web development projects.
6. While working, he comes across a digital platform named, **ZitTub**, which gives him easy access to develop applications and share among the **ZitTub** Community. Soon he finds a way to create online auctioneering and develops a code for an app wherein one can list old belongings and begins developing the app for auctioneering.
7. On **17th January 2022**, Razin, a prime-time journalist receives information from an unnamed source about a rolling application named **Getadeal** on the ZitTub community wherein photos of prominent female journalists, academicians, activists of minority religions, primarily *Saracens*, are stolen from their social media handles. Consequently, the women are put up for an online auction. Soon, this news became a highlight of prime time and resulted in a huge public outrage among the citizenries.
8. People are writing and expressing their strong views on the social media platform, **Glitter**. Hashtags about the application and women's rights (Example, #Threat2Women\_BanGetadeal, #Privacy\_underthreat, etc.) matter are trending and became a moot point of discourse in international media as well. Many nationwide protests were organized in solidarity against cybercriminals and increasing social media crimes against women. *Adion* observes protests for the next few days in various parts, and soon protests took a sectarian turn. Riots break out in several parts leading to damage of public property and several injured in the public outrage.

9. Devices connected to the internet can now gather up a user's data, sometimes even without the user's consent, thanks to technological advancements. This has raised various issues, including the right to privacy. To address this, the Ministry of Electronics, and Information Technology (MeitY) introduced the *Personal Data Protection Bill, 2019* (**'PDP Bill'**) to Parliament in 2019. The bill was referred to a Joint Parliamentary Committee, whose report led to the *Data Protection Bill 2021* (**'DP Bill'**). The bill covers both personal and non-personal data but has failed to see the light of day as of now.
10. On **21<sup>st</sup> January**, The **State Cyber Cell**, while investigating the matter, traced down the IP address to the Computer Lab of AIT and soon questioning began at AIT Campus with students.
11. Inush was one of the students arrested on suspicion and presented before the magistrate for further custody and investigation.
12. Mr Wiki Zen is a social rights activist and has been researching on data privacy, data fiduciary issues for more than ten years, worried over such incidents, has filed public interest litigation (PIL) before the Hon'ble Supreme Court under Article 32 of the Constitution on 31<sup>st</sup> January 2022. In his petition, he prayed before the hon'ble Supreme court to held State machinery responsible for failing to safeguard women's rights in digital space and sought accountability of hosting platforms such as **ZitTub** concerning the safety of citizens and Privacy Protection. He also raised serious concerns over uncontrollable public outrage and State failure in maintaining law and public order.
13. **Niras** is a 19-year-old female. She recently cleared her Class XII board examinations recently. On 10<sup>th</sup> February 2022, she moved out of her hometown to study B.Sc (Chemistry Hons.) in a prestigious Delta University located in the capital city of Delta.

14. On 21<sup>st</sup> February 2022, **Niras** received an obscene call regarding her availability and monetary charges as a sex worker. The caller told her that he found her naked pictures and contact details on a famous social networking site, *Metabook*. For the next two-three days, she received multiple calls of similar nature.
15. She learned that there is an account by the name of *nirasnudies* in *Metabook* and other social media handles which contains her obscene morphed images and contact details.
16. **Niras** was under immense trauma and committed suicide on 24<sup>th</sup> February 2022 by drinking poison.
17. On preliminary investigation, it was found out that the account was created through the email address of **Niras** (niras298765@gmail.com) but with a different IP address. The images were taken from **Niras**' laptop and were morphed using a digital app called "9 PAPS" and used a feature named "Bikini Suit Photo Editor" and downloaded the half-naked photos in it.
18. On 28<sup>th</sup> February 2022, police arrested Amresh for further investigation based on findings from the cyber police branch. Amresh is a batchmate of **Niras** and was a very close friend. It is alleged that he stole her laptop and created the fake profile with morphed images to take revenge on the rejection of his romantic advancement by **Niras**.
19. This was a second epochal event within a span of two months wherein women were attacked, targeted, harassed through digital platforms. **Sakhi**, a Women's rights organization, organized a country-wide protest concerning privacy and security violations of women through social media, digital intermediaries, etc., on 2<sup>nd</sup> March 2022. They demanded strict action to be taken against *Metabook* and wanted the State to seek accountability for such events on digital and social media platforms.

20. Consequently, owing to the public pressure and media outrage, the National Commission for Women of Adion (NCW) decided to intervene and wrote a letter on 10<sup>th</sup> March, 2022, addressing the CJ of Apex court of Adion stating their concern about lacuna in Adion's justice system pertaining to privacy and safety of women.
21. The Apex Court took suo moto cognizance over this matter on 21<sup>st</sup> March, 2022. The Hon'ble Apex Court has converted the said letter into a petition.
22. It clubbed the above matter with Mr Wiki Zen's ongoing PIL since both were premised around social media crimes committed against women. The matter is listed for final hearing on 8<sup>th</sup> April 2022 before the 2-division bench of the court for the common hearing.

### **ISSUES FRAMED**

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The Hon'ble Supreme Court has issued the notice to concerned parties and has fixed the matter for hearing on the following issues:

1. Whether the present case is *maintainable* before the Hon'ble Supreme Court under appropriate jurisdiction?
2. Whether the State and Institutional actors have failed in their *duty and obligation under constitutional democracy* to protect the privacy and ensure women's safety in digital space?
3. Whether the existing justice system has failed to impose the necessary regulatory framework over *digital platforms concerning data privacy*?
4. Whether the Digital platforms, intermediaries in this matter will be protected under contemporary IT legal framework concerning third-party information, data, or communication link made available or hosted by him?

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DRAFTERS NOTE TO THE PARTICIPANTS

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1. Unless stated otherwise in the moot proposition, the Constitution, and laws of the Republic of Adion are *pari materia* with the Constitution and laws of the Republic of India.
2. The participants are requested to make reasonable inferences from the various excerpts provided in the moot proposition.
3. The precedents of Indian courts hold persuasive value. The precedents of foreign courts from other jurisdictions may also be relied upon.
4. The moot proposition is hypothetical and holds no correlation to any ongoing matter before any Court in the Republic of India. Any resemblance to the actual incident is purely coincidental.
5. The factual matrix is just an outline of the incident. The participants are expected to build on these facts and come up with their arguments.
6. The issues stated above are not exhaustive. Participants can frame one additional issue as per their comprehensibility of the proposition.
7. Any attempt of solicitation with the Moot Court Society (MCS) shall be a ground for disqualification of teams
8. The Moot Court Society, Amity Law School, holds the copyright of the above-mentioned moot proposition, and any unauthorised use may invite legal consequences.

## **AMITY NATIONAL MOOT COURT (ONLINE) TECHNICAL RULES**

The rules mentioned herewith shall be called the Amity National Moot Court Technical Rules (hereinafter referred as “The Rules”). The Rules mentioned herewith are not exhaustive and shall be strictly adhered to. Any deviation from the same shall result in immediate disqualification. All decisions made by the Organizers in case of any disputes or doubts, shall be final and binding on all the participating teams. The Organizers reserve the right to alter, amend or add rules herein at any point of time. In case the Rules are not adhered to by the Participating teams, Organizers reserve the right to impose penalty.

1. The Competition will be conducted by using virtual live video conferencing platform. The details of the platform shall be shared to the teams via mail.
2. 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 places. 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 the 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 will be given to a White background. The participants must also ensure that their appearance should be the 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.

6. 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/ sub-code as their username while joining the meeting room.
8. All participants should be online at least ten (10) minutes prior to the commencement of their round. In case any team fails to join the Court Room within ten (10) minutes, then the opposite team shall be adjudged ex-parte.
9. Following are the mandatory system requirements 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. While in a virtual round, the participants must have their camera on all the time.
11. Utmost care shall be taken by the teams as regards external sound or noise while the proceedings are on. During the oral round, participants should ensure that the same is conducted from a noise-free environment.

At the time when one participant is speaking, other participants are expected to keep their microphones on mute. In case a participant is found disturbing the other participant anyway, he/she may be disqualified.
12. The participants should not use the group text feature of the Organizer's hosting platform to communicate with one another.

13. No additional documentation or screen sharing will be allowed and any information which must be provided to the court should be submitted beforehand along with the Compendium and the Memorial.

14. 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.

15. The Organizers shall not be responsible for any loss due to slow or non-functional Internet Connection during the Competition.

17. In any case whatsoever, the decision of the Organizers shall be final and binding.

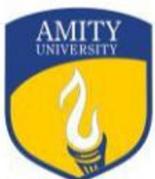
18. The organizers shall have the rights reserved over all the audio, video or submitted memorials and compendium and the organizers are free to use or dispose them off in the manner they deem fit.

19. Participating teams may request for clarifications to the official moot problem by sending an email to [arbmedamityjaipur@gmail.com](mailto:arbmedamityjaipur@gmail.com) Full list of clarification will be released by way of electronic mail communication to participant's id.

**Please Note :** Clarifications through any medium other than emails i.e. Phone Calls/ WhatsApp/SMS/DM on Instagram/private messages on Facebook to Organizers will not be entertained and taken into account.



## OUR PARTNERS



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