



**7TH MAHAMANA
MALAVIYA NATIONAL MOOT
COURT COMPETITION - 2019**

Organized By

**FACULTY OF LAW,
BANARAS HINDU UNIVERSITY**



ABOUT

BANARAS HINDU UNIVERSITY

Banaras Hindu University is an internationally reputed temple of learning, situated in the holy city of Varanasi. This Creative and innovative university was founded by the great nationalist leader, Pandit Madan Mohan Malaviya, in 1916 with cooperation of great personalities like Dr Annie Besant, who viewed it as the University of India. Banaras Hindu University was created under the Parliamentary legislation - B.H.U. Act 1915.

Banaras Hindu University founded by Mahamana Pandit Madan Mohan Malaviyaji in 1916 is one of the most prestigious Central Universities in the country. The University was conceived as a residential University, keeping in view its objective of complete character development and thorough mentoring of students. Perhaps this is the only University in the world where courses ranging from nursery and primary school upto Post Doctoral degrees are taught and pursued within a walled campus spread over 550 Hectares (1360 acres) with majestic buildings of great architectural delight. BHU is organised into 6 institutes and 14 faculties and about 140 departments. As of 2017, total student strength is approximately 27000 coming from 48 countries.

Alumni and faculty of BHU have gained prominence in India and across the world. Some of the notables includes Raj Narain, C.N.R Rao, Harivansh Rai Bachan, Narla Tata Rao, Bhupen Hazarika, Satish K Tripathi and many more.

Ranked 3rd in University category by National Institutional Ranking Framework operated by Ministry of Human Resource Development, Government of India. The university is known for its state-of-art campus, environment, standard academic facilities, values and culture. Being a part of this great and magnificent university, housing unparalleled facilities and expertise of all kinds, the exposure and horizon of thinking of its students get enhanced. Banaras Hindu University is virtually a microcosm of the Universe.



ABOUT

FACULTY OF LAW



The Law School is one of the earliest Faculties established in the Banaras Hindu University. Mahamana Pandit Madan Mohan Malaviya, the founder of this university, served for many years as Dean of Law School. The earlier Deans included Legal luminaries like Sir Ras Behari Ghosh and Sir Tej Bahadur Sapru. The Law School has been pioneer in introducing full time three year LL.B course of studies and two year full time LL.M. programme. It has taken a lead and perhaps the only Law School in India in introducing two years full time special courses of LL.M. in Human Rights and Duties Educations. The Banaras Law School was one of the six universities in India to start 'Clinical Legal Services'. The model developed by Law School has been judged as the best model by Hon'ble Mr. Justice P. N. Bhagwati, former Chief Justice of India.

It offers various academic programmes to generate especially skilled global legal professionals. Law School offers different and diverse courses in the field of law and justice. Courses like B.A. LL.B. (H), LL.B (H), LLM, PhD and Diploma Courses forms a major part in academics offered by the institution.

To facilitate diverse competition it organizes 'Mahamana Malaviya National Moot Court Competition' annually focusing on major national issues. Students devote their time sincerely towards legal research, simulation activities and seminars. Faculty of Law takes measures to encourage potential in students in extra-curricular activities also by organising their cultural fest 'Srijan'. The Law school is publishing a world class law journal 'The Banaras Law Journal' on bi-annual basis. Law school has abundance of resources available both online and offline in its library which stretches to whole first floor in administrative section. BHU Law School alumni have set a bench mark for their juniors by excelling in legal field and becoming immensely useful to this country. One of such alumni is Hon'ble Justice B. S. Chauhan (Retd.).

7TH MAHAMANA MALAVIYA

National Moot Court Competition-2019

Faculty of Law, BHU, Varanasi

6th & 7th April, 2019.

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6th & 7th April, 2019.

RULES AND REGULATIONS

1. GENERAL:

- 1.1 ADMINISTRATION: The '*7th Mahamana Malaviya National Moot Court Competition, 2019*', is to be organized and administered by the Faculty of Law, Banaras Hindu University, Varanasi.
- 1.2 DATE: - The Competition shall be held on **6th April 2019** and **7th April 2019** at the Law School (Faculty of Law), Banaras Hindu University, Varanasi, Uttar Pradesh-221005.
- 1.3 LANGUAGE: - The official language for the Competition shall be **English** only.
- 1.4 STRUCTURE OF THE COMPETITION: - The Competition shall consist of a Researcher's Test, Two (2) Preliminary Rounds and three (3) Advanced Rounds viz. Quarter-Finals, Semi-Finals, and Finals.
- 1.5 DRESS CODE: - All the participants are required to adhere to the following dress code of Black and White Western Formals.

2. PARTICIPATION AND ELIGIBILITY:

- 2.1 ELIGIBILITY: - Students pursuing Three (3) Year or Five (5) Year Courses of LL.B. Degree in the Academic Year 2018-2019 from any recognized Law School/College/University in India are eligible to participate.
- 2.2 Each participating University shall send only **One (1)** Team to the Competition. Team members must be bonafide students of the University they are representing. Once registered (after Final Registrations), a Team will not be permitted to vary their composition in any manner.

2.3 **TEAM COMPOSITION:** - The participating team shall comprise a minimum of **two (2)** and a maximum of **three (3)** members. In a team of two (2) members, both the members shall be designated as **'Speakers'** and one of the two Speakers shall be considered as **'Researcher'** (which is to be notified at the time of Final Registrations). In a team of three (3) members, two members shall be designated as **'Speakers'** and the third member of the team shall be designated as a **'Researcher'**. The Organizing Committee reserves the Right to bar any team from participating in the Competition.

3. **REGISTRATION:**

3.1 All the teams willing to participate in the **'7th Mahamana Malaviya National Moot Court Competition, 2019'** must express their willingness for the same by mailing a duly filled scanned copy of the **Registration Form** (annexed with this brochure). The mail shall be sent to mcc.lawfacultybhu@gmail.com with the subject "**Registration for 7th Mahamana Malaviya National Moot Court Competition, 2019**" on or before **16th March 2019**.

3.2 The **first 24 teams** to successfully mail their Registration Forms will be invited to complete their registration by making a payment of **₹ 3,500/-** (Three Thousand Five Hundred only). The shortlisting will be done on the **'First Come First Serve'** basis. The account details for the payment of this fee will be provided at a subsequent stage to the shortlisted teams.

3.3 The **last date** for the payment is **19th March 2019**, and any of the shortlisted 24 teams, which fails to make the payment by this date, will **automatically forfeit** its claim to participate in the competition. In case of forfeiture by one or more teams, the subsequent waitlisted teams will be informed and given an opportunity to complete their registration after the submission of the fee within a stipulated time allocated to them in this regard.

3.4 The registration will be **deemed complete** only once the soft copy of payment receipt along with registration and travel form is duly mailed to mcc.lawfacultybhu@gmail.com and the confirmation of the same will be sent to the teams.

3.5 In case of any dispute, discrepancy, differences, etc., the final discretion shall vest with **the Organising Committee** of the **7th Mahamana Malaviya National Moot Court Competition-2019** and its decision shall be final and binding. Furthermore, the Organising Committee also reserves the right to cancel the registration of any team at any stage in case of misconduct, incapacity or for any other improper act or likewise.

3.6 After receiving the **Soft Copies** as mentioned in Rule-3.4, teams will be allotted a '**Team Code**' which will be notified to them through an e-mail.

4. **MEMORIAL PARTICULARS:**

4.1 **MEMORIAL SUBMISSION:**

- 4.1.1 Each team participating in the Competition must prepare one Memorial on behalf of Petitioner(s)/Appellant(s)/Applicant(s) and one on behalf of the Respondent(s)/Defendant(s).
- 4.1.2 Each team must send the soft copies of each side of Memorials (One (1) in MS Word .doc/.docx format and One (1) in .pdf format) for evaluation by **2nd April, 2019** before 11:59 P.M. to **mcc.lawfacultybhu@gmail.com** with the subject "***[Team Code] Memorial for Appellants/Respondents***". The file names of the electronic copies of the Memorials must contain only the Team Code and the side is represented in the following format: e.g., (for Team Code: 10) 10-P or 10-R, 'P' being for "Petitioner" Memorial and 'R' for "Respondent" Memorial and so forth.
- 4.1.3 Memorials submitted beyond the deadline shall incur a penalty of 02 Marks for each day of delay. However, teams submitting soft copies of memorials any time after 3rd April 2019 will be subject to immediate disqualification. Further, no extension will be granted with respect to this deadline.
- 4.1.4 Further, each team has to submit **Six (6) Hard Copies** for each side of the Memorial, which must be submitted by the team **at time of registration** on 5th April, 2019.
- 4.1.5 Memorials submitted will be evaluated according to Rule 4.4.
- 4.1.6 Applicants may take note that Soft and Hard Copies of the Memorials submitted by them should be identical. Any discrepancy in this regard would result in immediate disqualification from the Competition.

4.2 **MEMORIAL FORMAT:**

- 4.2.1 All the pages of the Memorial must be of **A4 Size** with an equal margin of **1-inch** on each side.

- 4.2.2 The text font for the '**Main Body**' must be **Times New Roman**, Size **12**, with **1.5** Line Spacing. The text font for the '**Footnotes**' must be **Times New Roman**, Size **10**, with **1.0** Line Spacing. Character Spacing should not be condensed in any manner.
- 4.2.3 Footnotes must not be explanatory in nature.
An illustrative example of an acceptable footnote: A v. B, AIR 1973 SC 22, 23-24 [hereinafter X].
An illustrative example of an unacceptable footnote: A v. B, AIR 1973 SC 22, 23-24 [hereinafter X] (holding that the Right to Information Act was in fact against the express provisions of Art. 14 of the Constitution of India).
- 4.2.4 Teams shall cite authorities in the Memorial using footnotes following the **Harvard Bluebook 19th Edition** and the footnoting must be uniform throughout the Memorandum.
- 4.2.5 The Memorials shall be '**Spiral Bound**'. The following colour scheme shall be followed for the Cover Page of the Memorial:
Petitioner: **Blue**
Respondent: **Red**

4.3 **MEMORIAL CONTENT:**

- 4.3.1 The Memorials shall necessarily consist of only the following sections:
- (a). Cover Page;
 - (b). Table of Contents;
 - (c). List of Abbreviations;
 - (d). Index of Authorities(with **Page Number** where the authority has been cited);
 - (e). Statement of Jurisdiction;
 - (f). Statement of Facts(not exceeding 2 Pages);
 - (g). Arguments Presented (Statement of Issues);
 - (h). Summary of Arguments (not exceeding 2 Pages);
 - (i). Arguments Advanced (not exceeding 20 Pages);
 - (j). Prayer (not exceeding 1 Page).
- 4.3.2 Each Memorial shall have the following and only the following on its cover page:
- (a). The Team Code on the upper right-hand corner of the Cover Page;
 - (b). The Name and Place of the Forum;
 - (c). The relevant legal provision under which it is filed;
 - (d). Name of parties and their status;

(e). Memorial Filed on Behalf of ____.

4.4 **EVALUATION:**

The maximum score for each Memorial shall be 100 Marks. The memorials shall be evaluated on the following criteria:

Knowledge of Law and Facts	25 Marks
Proper and Articulate Analysis	25 Marks
Extent and Use of Research	20 Marks
Clarity and Organization	20 Marks
Grammar and Style	10 Marks

4.5 **PENALTIES:**

Not following the instructions regarding Memorials in these Rules will lead to the following penalties -

Late Submission	02 Marks each day (disqualification after 1 day).
Exceeding Page Limits	01 Marks per exceeding page.
Failure to include the required information on the Cover Page	01 Marks per violation.
Failure to comply Footnote standards, Font Size, Font Style, Line Spacing, Margins	0.50 Marks per violation.
Failure to use correct Colour Coding	02 Marks per Memorial.

5. STRUCTURE OF THE COMPETITION:

5.1 RESEARCHER'S TEST:

- a. The Researcher's Test shall be conducted on **5th April 2019** from **05:00 pm** to **06:00 pm**.
- b. Every Team member designated as Researcher has to be present at the time of Researcher's Test.
- c. The test shall contain questions related to the Moot Proposition and the relevant laws applicable.

5.2 ORAL ROUND PROCEDURES:

A. General Procedures:

- a. The teams have to report at the registration-desk on **5th April 2019** between **03:00 pm** to **03:30 pm**.
- b. The draw-of-lots and the exchange of memorials shall be done after reporting of the teams at the registration-desk on **5th April 2019**.
- c. There shall be two Preliminary Rounds, a Quarter-Final Round, a Semi-Final Round and a Final Round. If the number of teams participating is less than twelve, there shall be no Quarter-Final Round.
- d. Two (2) members, and no more than Two (2) members, from each Team, shall make Oral Pleadings during the Rounds.
- e. Prior to the beginning of the Oral Rounds, each Team shall intimate the Court Officers how it wishes to allocate their time. For instance, during the Preliminary Rounds, the teams need to inform the Court Officers as to how they are going to allocate their 20 minutes among (a) its First Speaker, (b) its Second Speaker, and (c) Rebuttals. No single Speaker shall plead more than twelve (12) minutes, including rebuttals.

B. Procedures for Oral Submissions:

- a. Each team will get a total of 20 minutes (in Preliminary and Quarter-Final Rounds) and 30 minutes (in Semi-Finals, and Final Rounds), to present their case. This time will include Rebuttals subject to the discretion of the Judges.
- b. The Applicants/Petitioners/Appellants shall submit their arguments first, followed by the Respondents. Thereafter, the Applicant(s)/Petitioner(s)/Appellant(s) shall have the option of submitting their rebuttals. The Respondent(s)/Defendant(s) may also be permitted for the sur-rebuttal subject to the discretion of the Judges.
- c. The division of time per speaker is left to the discretion of the team, subject to a minimum of 6 minutes per speaker (in Preliminary and Quarter-Final Rounds) and 12 minutes per speaker (in Semi-Final and Final Rounds).
- d. Rebuttals can be assigned a time period of a maximum 2 minutes (in Preliminary and Quarter-Final Rounds) and 3 minutes (in Semi-Final and Final Rounds).
- e. The oral arguments should be strictly confined to the issues presented in the memorial. The researcher may sit with the speakers during the oral rounds.
- f. Maximum scores for the oral rounds shall be 100 points per speaker per judge.
- g. The speakers can provide the copies of the compendium, only if the same is permitted by the judges in their respective courtrooms.
- h. The oral rounds shall be judged on the following criteria:

Knowledge of Law:	20 Marks
Application of Law to Facts:	20 Marks
Ingenuity and Ability to Answer Questions:	20 Marks
Style, Poise, Courtesy, and Demeanor:	20 Marks
Time Management:	10 Marks
Organization:	10 Marks

5.3 Preliminary Round:

- a. The Preliminary Rounds are scheduled to take place on **6th April 2019**.

- b. There shall be two (2) Preliminary Rounds. All the selected Teams will be participating in the Preliminary Rounds.
- c. The Bench constituted for the Preliminary Rounds shall consist of at least two Judges. No Teams shall face the same Bench more than once in the Preliminary Rounds.
- d. The Teams will argue on behalf of each side during the Preliminary Rounds.
- e. No two teams shall face each other more than once in the Preliminary Rounds.
- f. Teams with two straight wins in the Preliminary Rounds would advance to the next round. Teams with less than two wins may also advance to the next round on the basis of cumulative team scores in both the Preliminary Rounds. The memorial scores shall be used as tie-breaker should such need arise.

5.4 **Quarter-Final Round:**

- a. The Quarter-Final Rounds are scheduled to take place on **6th April 2019.**
- b. Total of Eight (8) Teams shall proceed to the Quarter-Final Rounds from the Preliminary Rounds, which shall comprise of four (4) fixtures.
- c. In the Quarter-Final Rounds, each Team shall argue from the side decided on the basis of draw of lots.
- d. The Quarter-Final Rounds shall be in the nature of knock-outs, i.e., the team with the lesser score shall be eliminated.
- e. The Winning Teams in each of the four Quarter-Final matches shall advance to the Semi-Final Rounds.

5.5 **Semi-Final Round:**

- a. The Semi-Final Rounds are scheduled to take place on **7th April 2019.**
- b. The Winning Teams in each of the Quarter-Finals shall compete according to the draw of lots.

- c. In the event that Quarter-Finals have not been held, top four Teams shall directly proceed to the Semi-Final Rounds. Teams with two straight wins in the Preliminary Rounds would directly advance to the Semi-Finals. Teams with less than two wins may also advance to the Semi-Finals on the basis of cumulative team scores in both the Preliminary Rounds. The memorial scores shall be used as tie-breaker should such need arise.
- d. The Winning Team from each of the two Semi-Final Rounds shall advance to the Final Round.

5.6 **Final Round:**

- a. The Final Round is scheduled to take place on **7th April 2019**.
- b. For the Final Round, the Teams shall argue on the side as decided by the draw-of-lots.
- c. The Winner of the Final Round (i.e., the team obtaining a Higher Score) shall be adjudged as the ***'Winner of the Competition'***.

NOTE:

Use of any Electronic Gadgets is strictly prohibited during the course of Researcher's Test and Oral Rounds. Non-Compliance with the Rules shall lead to immediate disqualification.

6. SCOUTING:

Teams shall not be allowed to observe the Oral Rounds of another team unless they have been officially knocked-out of the Competition. Scouting is strictly prohibited. Scouting by any team shall entail instant disqualification.

7. ADHERENCE TO ANONYMITY:

7.1 During the Oral Rounds, participating teams are supposed not to state their names or the names of the Institution to which they belong and instead must use the Team Code allotted to them.

7.2 The team shall not disclose their identity anywhere in their written Memorials and instead should use the Code allotted.

7.3 Failing any of the condition stipulated above shall result in immediate disqualification of the team. The decision of the Organizing Secretary in this regard would be final.

8. AWARDS:

8.1 Winners Trophy.

8.2 Runners-Up Trophy.

8.3 Best Memorial.

8.4 Best Researcher.

8.5 Best Speaker.

9. LOCAL HOSPITALITY:

9.1 Accommodation shall be provided to all teams by the Organisers from the evening of **5th April 2019** to the evening of **7th April 2019**.

9.2 Food and Transportation to and from the venue shall be provided to all the teams for the aforementioned duration and it shall be strictly limited to 03 Members per team.

10. ANY CLARIFICATIONS REGARDING THE COMPETITION CAN BE SOUGHT FROM:

Regarding the Rules and Registration for the Competition:

- Ankur Bhatt, Student Member, Moot Court Committee (Mob.: +91 7607212121).
- Shivang Tandon, Student Member, Moot Court Committee (Mob.: +91 8957854333).

Regarding any other query or help:

- Dr. Anil Kumar Maurya, Member, Moot Court Committee (Mob.: +91 9695014000)
- Prajwal Shukla, Student Member, Moot Court Committee (Mob.: +91 7237883457)

Regarding Travel and Accommodation:

- Dr. Anoop Kumar, Member, Moot Court Committee (Mob.: +91 9044333620)
- Dr. Pradeep Kumar, Member, Moot Court Committee (Mob.: +91 9450245771)
- Bhanu Pandey, Student Member, Moot Court Committee (Mob.: +919621709882)

NOTE:

All clarifications regarding the Moot Problem should **only** be sent to mcc.lawfacultybhu@gmail.com by **21th March 2019**. A full list of clarifications shall be sent to all the teams through email by **23rd March 2019**, if required.

ORGANISING COMMITTEE:

Patron: Professor Rakesh Kumar Bhatnagar, Vice-chancellor, Banaras Hindu University.

Chairman: Prof. R. P. Rai, Head & Dean, Faculty of Law, Banaras Hindu University.

Coordinator: Prof. Rajneesh Patel, Faculty of Law, Banaras Hindu University.

Treasurer: Dr. Adesh Kumar, Assistant Professor.

Organizing Secretary (s): Dr. Naval Kishore Mishra, Assistant Professor.

Dr. Anil Kumar Maurya, Assistant Professor.

Joint Organizing Secretary(s): Dr Mayank Pratap, Assistant Professor.

Dr. Anoop Kumar, Assistant Professor.

Member: Dr. Rajneesh Singh, Associate Professor.

Dr. K.M. Tripathi, Associate Professor.

Dr. Raju Majhi, Assistant Professor.

Dr. V.K. Pathak, Assistant Professor.

Dr. Prabhat Kumar Saha, Assistant Professor.

Dr. Pradeep Kumar, Assistant Professor.

Dr. K.S. Brijwal, Assistant Professor.

MOOT PROPOSITION

1. The Republic of Scindia is the second most populous nation situated in South East Asia that had formerly been under the British colonial rule and won independence after a long struggle. After gaining independence, a Constituent Assembly was constituted to frame the Constitution. The sincere efforts of the Assembly led to its forming world's lengthiest Constitution comprising of unique attributes from many other nations.
2. The Republic of Scindia is primarily a nation based on the principles of democracy, secularism and socialism clearly enshrined in its Constitution. It is known for its unique heritage and basic principles of "unity in diversity". Despite advancement in technology and the emerging trends, a majority of the population in the country still profess archaic beliefs on privacy, personal relationships and the institution of marriage.
3. Funbook is a popular social networking website based in France with one of its branch offices in Dehri, capital of the Republic of Scindia acting as a data sharing and user-content creating platform. It is a platform where the users can post comments, share photographs, post links, chat live etc. Funbook is user-friendly and open to everyone. Every user of Funbook is required to have a Funbook account which can easily be created by entering the personal details of the user which is then to be verified by the email id of the user. After verification, the user would be assigned a unique login id.
4. Mr. Vaibhav Dixit, a resident of Dehri is a well-known business tycoon. He is the owner of Meliance Industries and Company, a telecom operating company based in the Republic of Scindia. He is suspected to be involved in an offence relating to tax evasion in Scindia and laundering money in France.
5. In the year 2007, Mr. Vaibhav Dixit made his account on Funbook. While making his account, he mentioned his personal details like age, sex, date, place of birth etc. The very next year, i.e., in 2008, he installed the mobile version of Funbook in his smartphone. When he installed this application, it asked for several permissions like permission to access the gallery of the smartphone without which it could not be opened. Mr. Dixit granted permission for the same. Funbook had a special feature for its mobile users. It created a collage of all the pictures stored in the gallery of the user on an annual basis and then gave an opportunity to the user to share it on Funbook. It did the same with Mr. Dixit. But, Mr. Dixit did not share that collage.

6. Ms. Sylvia, a resident of France and an ex-employee of Mr. Vaibhav Dixit's company was a frequent user of Funbook. She was in good terms with Mr. Dixit. Both of them used to chat on Funbook for hours. In fact, Mr. Dixit had kept many screenshots of their chat in his gallery which included his sensitive personal data.
7. With the advent of time, many new social networking websites emerged and the craze of Funbook underwent a sharp decline. Many of the users including Mr. Dixit lost interest in Funbook and started using other social networking websites like Chatsapp, dike and so on. On Nov.7, 2017, Mr. Vaibhav Dixit made a request to Funbook to delete his account and accordingly his account was deleted within 7 days, i.e., November 14, 2017.
8. The investigative agencies of the Republic of Scindia kept a vigilant eye on Mr. Dixit in connection with his involvement in tax evasion and money laundering case. They approached Funbook in this regard. On November 16, 2017, Funbook shared the personal data of Mr. Dixit with the investigative agencies of the Republic of Scindia including screenshots of the chat between Mr. Dixit and Ms. Sylvia which was stored in the gallery of the smartphone of Mr. Dixit.
9. Mr. Dixit infuriated by this act of Funbook approached the Supreme Court of Scindia on December 5, 2017, contending that his Fundamental Right to Privacy has been violated by Funbook. His main contention revolved around the issue of non-erasure of his sensitive personal data by Funbook whose access was given to Funbook just because Mr. Dixit wanted to use its mobile version. After his exit from Funbook, it had no right to share or disseminate that data to anyone and it had the responsibility to erase all those data received by it. Mr. Vaibhav Dixit also raised his concern regarding the non-existence of any law in the Republic of Scindia on this point and failure of the state to protect the personal data of its citizens from being shared by any website. A related challenge has also been made by Mr. Dixit to the constitutional validity of The Information Technology (Intermediary Guidelines) Rules, 2011 under which powers are vested with the Central government of the Republic of Scindia to seek data from intermediaries.
10. Meanwhile, his petition was pending in the Supreme Court; Ms. Sylvia paid a visit to the Republic of Scindia on December 30, 2017. On New Year's Eve, Mr. Dixit called Sylvia asking her to meet him at Hotel Residency. Ms. Sylvia reached the hotel at around 11:30 pm. There she saw Mr. Dixit sitting on the couch. Both of them had certain drinks and they got intimate with each other. The very next morning, i.e. on January 1, 2018, Ms.

Sylvia approached police station to lodge an FIR against Mr. Dixit for committing the offence of rape.

11. The matter was severely discussed and hotly debated nationwide as it involved pertinent issues relating to a foreign woman's safety and a well-known face of the Republic of Scindia.
12. The Trial court found Mr. Dixit guilty of the offence of rape and convicted him on May 15, 2018. All the leading newspapers in the country including "The People" published this matter.
13. Mr. Vaibhav Dixit preferred an appeal to the High Court of Dehri and the High Court observed that the evidence was insufficient to prove the guilt of the accused beyond reasonable doubt and therefore acquitted Mr. Dixit of all the charges brought against him by the judgment dated December 20, 2018.
14. In the meantime, Mr. Vaibhav Dixit found that the matter relating to the findings of the Trial Court which was published by the "The People" around May 2018 was available on the e-newspaper portal of it which could easily be accessed by anyone. Enraged and infuriated Mr. Vaibhav Dixit approached the High Court of Dehri contending that existing news available in the public domain in digital form relating to the alleged rape case whose judgment has now been overturned by the High Court is a violation of his Rights guaranteed under the Constitution of the Republic of Scindia. The matter is pending before the High Court of Dehri.
15. One day, Ms. Sylvia was searching for something on the internet and she observed something bizarre. She saw that as soon as she typed her name on the search engine, many web links relating to her case instituted against Mr. Dixit popped up on her laptop screen. Not only this, any man of ordinary prudence could easily identify her from the webpages. Keeping her reputation, dignity, work and future marriage prospects in mind, Ms. Sylvia approached the Hon'ble Supreme Court of Scindia contending that disclosure of her identity by the search engines is a clear cut violation of the safeguards provided to her by the laws of the Republic of Scindia.
16. While the petition was filed, preliminary objection raised by the respondent was regarding the maintainability of the petition. The respondent(s) contended that the petitioner should have sought remedy under the provisions of criminal law and should not approach the Apex Court of the land. In response to these objections, the petitioner submitted that had she filed a complaint, appropriate action might have been taken but

that would not have served her interest and fulfill the objective of the provisions relating to the non-disclosure of the identity of the prosecutrix. She would not get the remedy for the irreparable loss and damage being caused to her. The Court after listening to both the sides carefully allowed the petition to proceed. Now, the matter is pending for hearing.

17. Finding the issues pertaining to same question of law of “Right to erasure and Right to be forgotten” in all the three petitions, i.e. two filed before the Supreme Court and one before the High Court, the Supreme Court of Scindia on an application filed by the petitioners proceeded to club the petitions and listed it for preliminary hearing before a full bench of the Supreme Court of Scindia.
18. All the laws of the Republic of Scindia are in pari-materia to the laws of the Republic of India.

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National Moot Court Competition-2019

Faculty of Law, BHU, Varanasi

6th & 7th April, 2019.

REGISTRATION FORM

(Please fill this form using block letters only.)

INSTITUTION DETAILS

Name of the Institution _____.

Contact No. (Faculty Co-coordinator) _____.

Email Address of the Institution _____.

TEAM DETAILS

Speaker 1:

Name _____.

Contact No. _____.

Email _____.

Speaker 2:

Name _____.

Contact No. _____.

Email _____.

Researcher:

Name _____.

Contact No. _____.

Email _____.

Contact Person:

(A member of the team with whom all Competition related communication shall be made.)

Name _____.

Contact No. _____.

Email _____.

(Signature and Seal of the Head of Institution)

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6th & 7th April, 2019.

TRAVEL - PLAN

DETAILS OF THE TEAM:

Name of First Member: _____ . Gender: _____ .

Name of Second Member: _____ . Gender: _____ .

Name of Third Member: _____ . Gender: _____ .

Name of the Institution: _____ .

ARRIVAL DETAILS:

a. Mode of Arrival: Train Air Bus

b. Train/Flights No. & Name: _____ .

c. Scheduled Arrival: Date: ___/___/___ Time: _____ am/pm.

d. Coach No. (In case of Train): _____ .

DEPARTURE DETAILS:

a. Mode of Departure: Train Air Bus

b. Train/Flights No. & Name: _____ .

c. Scheduled Departure: Date: ___/___/___ Time: _____ am/pm.

d. Coach No. (In case of Train): _____ .

Any other details: _____

Signature of First Speaker

Signature of Second Speaker

Signature of Researcher

OFFICIAL SCHEDULE

Release of the Moot Proposition	March 8, 2019.
Deadline for Provisional Registration of Institution	March 16, 2019.
Deadline for submission of soft copy of Payment Receipt	March 19, 2019.
Deadline for seeking clarifications	March 21, 2019.
Release of final clarifications (if any)	March 23, 2019.
Deadline for submission of the soft copy of Memorials	April 2, 2019.
Researcher's Test	April 5, 2019.
Inauguration Ceremony	April 6, 2019.
Oral Rounds	April 6-7, 2019.
Valedictory Ceremony	April 7, 2019.