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DATES OF IMPORTANCE

DATE

- **Last date for Registration** 20th September, 2018
- **Last date for submission of Memorials** 25th September, 2018
- **Announcement of Schedule for Preliminary Moots** 27th September, 2018
- **Dates of the Programme** 28th & 29th September, 2018

MOOT COURT PROBLEM

LAMP PUBLIC SCHOOL

v.

VIMALA

Facts of the case:

VIMALA is a teacher working in a private school named LAMP Public school managed by Sanskar Educational Society. She was in the Union Territory of Amandan in Hindustan working as a teacher there for the last 5 years. She made an application to the school authorities under the Right to Information (RTI) Act requesting for certified copy of her appointment letter and also for certified copy of her service book. The school authorities denied the request on the ground that the school is owned and managed by private management and it will not fall under ambit of the Right to Information Act, therefore it is not bound to furnish the information.

Not satisfied with the reply given by the school authority, Vimala made an appeal before the Director of School Education, the First Appellate Authority seeking an order to compel the school authorities to provide the required documents from the school. The first appellate authority (FAA) rejected her appeal and upheld the decision of the school authorities.

Aggrieved by the order of the FFA she filled the second appeal before the Central Information Commission (CIC) seeking copies of her appointment letter and certified copy of her service book.

The CIC observed that as an employee teacher of the school, the appellant has every right to information about her appointment letter and certified copy of her service book. CIC further observed that the school which was established and is governed by the Amandan Education Act, is to abide by the regulatory conditions of service,

payment of salaries etc. as prescribed under the given Act. The school has to maintain the records as recommended under the Act, which provides an inherent and implied right to information to its employees. Further the Right to Education Act, 2005 also recognizes schools and educational institutions including the private Schools. Therefore it is under an obligation to appoint eligible teachers and provide them prescribed wages. This also reveals that it has given inherent right to information to the teachers from their employers.

Aggrieved by the order of CIC, the LAMP Public School approached the Supreme Court contending that the school is totally a private concern established and managed by private society in accordance with the guidelines framed as per the bye-laws of the society. It was also argued the school will not come under the ambit of the RTI Act, 2005.

Now the case is set for hearing before the Supreme Court.

ISSUES:

1. Whether the school which is unaided and managed by private society will fall under the RTI Act, 2005; as a 'Public Authority'.
2. Whether the order passed by the CIC is in violation of the fundamental right to practice any profession, or to carry on any occupation as contemplated under Article 19 (1) (g) of the Constitution of India, in as much as the school's autonomy will be adversely affected if it is brought under the RTI Act, 2005; and
3. Even assuming that the school is a 'Public Authority' under the RTI Act, 2005, the information sought by Ms.Vimala is exempted from disclosure under section 8 of the said Act, being in the "fiduciary relationship".

--Agrue--

RULES OF THE COMPETITION

1. TITLE, DATE AND TIME

The 'MSS Law College State Level Moot Court Competition – 2018' will be held on **28 & 29, September 2018** at **MSS Law College, Chaderghat, Hyderabad, Telangana State.**

2. CONVENOR

A. MURALI, Asst. Professor is the Convenor of the Moot Court Competition 2018.

3. LANGUAGE

The Competition shall be conducted in the English language only.

4. ELIGIBILITY

The Competition is open for students pursuing three or five year LL.B. Degree Course from any recognized Law College/University situated in the state of Telangana, subject to fulfilment of the registration formalities.

5. TEAM COMPOSITION

Each team shall consist of a minimum of two members and a maximum of three members. Every team shall consist of two speakers and only one researcher. (The researcher shall be allowed to argue instead of a speaker only with the permission of the Court.)

6. REGISTRATION

- ✓ Registration is compulsory and shall be made along with Registration form.
- ✓ Registration shall be made only with respect to teams and no individual is allowed to register.
- ✓ The team interested to register should get the approval of the Institutions where they are studying, by duly attested by the Head of the institution on the Registration form.
- ✓ The Registration form should be send to the Convenor, '**MSS Law College State Level Moot Court Competition – 2018**' on or before the date prescribed either through email or in person along with registration fee.
- ✓ For email registrations the Teams are required to send the scanned copy of their duly filled-in Registration Form.
- ✓ The Registration fee for each team is Rs. 500-00 which may be paid in cash or through DD.
- ✓ Last date for Registration form 20th September, 2018. No spot Registration is allowed.

7. MEMORIAL PRESENTATION AND EVALUATION

- The teams must send a soft copy of their memorials for evaluation by on or before 25th September, 2018 to email: mootcourt2018.msslc@gmail.com
- There will be a committee to evaluate the Memorials submitted and will be evaluated according to guidelines provided.
- The following guidelines must be strictly followed for the memorials. Non-compliance will entail penalties.
 - Teams have to prepare memorials for both the sides.
 - All soft copies must be emailed in Microsoft Office Word 2003/2007 format only and all other file extensions will be rejected. All soft copies shall be submitted at email: mootcourt2018.msslc@gmail.com
 - The teams are required compulsorily to submit 3 hard copies of the memorial for each side during their participation on 28th September, 2018.
 - Teams must not disclose the identity of their College/University anywhere in the Memorial. The team code shall be assigned to each team once they register for the competition and same shall be mentioned at the top of the cover page of the memorial.
 - While the soft copies of memorials sent through e-mail can mention the institution's name.
 - The content of the hard copies of memorials must be the same as that of the soft copy. The Convenor shall have the right to reject any memorial if any correction or modification is noticed.
 - The memorials have to be submitted on A4 size paper, printed on only one side, and must contain the following sections :
 - a) Cover Page
 - b) Table of Contents
 - c) Index of Authorities
 - d) Statement of Jurisdiction
 - e) Statement of Facts
 - f) Statement of Issues
 - g) Summary of Arguments
 - h) Arguments Advanced and
 - i) Prayer.
 - The memorials must be printed in Times New Roman font style, font size 12 with double spacing. (The footnotes must be in Time New Roman font, font size 10 with 1.5 spacing and

with a margin measuring one inch on all sides of page). All the pages should be numbered on the bottom and centre of each page.

- The Petitioner's memorial cover page shall be in blue colour printed with "For PETITIONER" on top of the page and the Respondent's memorial cover page shall be in Red colour printed with "For RESPONDENT" on top of the page.
- The maximum scores for the memorials shall be 100 points. The memorials shall be evaluated on the following criteria :
 - ❖ Knowledge of Law and Knowledge of Facts : 25 Points
 - ❖ Proper Analysis of given problem : 25 Points
 - ❖ Proper Research and related case laws: 20 Points
 - ❖ Understand and Organizing the problem : 20 Points
 - ❖ Grammar and Style : 10 Points

8. PRELIMINARY ROUNDS & QUARTER-FINAL ROUNDS

- The exchange of memorials will take place before 30 minutes of the Moot.
- No two teams shall face each other more than once in the preliminary rounds.
- All efforts will be made to ensure that no team faces the same bench more than once.
- The top 8 teams which have the highest aggregate in Memorial Points and Preliminary Rounds Scores shall qualify for the next higher Rounds.
- Quarter-final rounds, Semi final rounds and final round will be knock out rounds. Memorial scores will not be added to the overall scores in any of these Rounds.

9. RESULTS

- The results will be announced thirty minutes after each round.
- The results of the final round shall be announced at the valedictory ceremony.

10. CRITERIA FOR SELECTING THE BEST RESEARCHER:

The quality of written memorial on both sides, the assistance given to the mooters in each round, the supply of relevant information such as case citations and reports, inputs regarding the rebuttals etc., shall be the criteria for selecting the best researcher.

11. RESTRICTIONS

- No member of any team will be permitted to hear the arguments in any court room in which that team is not one of the contesting teams whilst that team is still in the competition.
- The teams are not allowed to disclose their Identity to anyone except the organisers during their period of participation in the competition.

12. PRIZES

1. Winner Team Prize an amount of ` 5,000/- and a Rolling Shield
2. Runner-Up Team Prize an amount of ` 3,000/-
3. Best Memorial Prize an amount of ` 2,000/-
4. Best Speaker Prize an amount of ` 2,000/-
5. Best Researcher Prize an amount of ` 2,000/-

13. DECISION OF THE JUDGES SHALL BE FINAL

The decision of the judges with regard to the outcome of all rounds of moots, shall be final.

14. ACCOMMODATION, FOOD AND TRANSPORT

Lunch shall be provided to all the participants and the participants are requested to arrange their accommodation, transportation to the venue **on their own**.

15. CERTIFICATES

All the participants will be given certificates.

16. CONTACT

In case of any queries or clarifications regarding the competition feel free to contact the following persons.

1. SRI A.MURALI, CONVENOR CELL: 9908308345
2. Dr. MANOJ SOMESWAR, PRINCIPAL CELL: 9866252719

REGISTRATION FORM

MSS Law College State Level Moot Court Competition – 2018

Name of the Institution: _____

Address: _____

Person to whom communication relating to the Competition should be sent:

Name: _____

Phone Number: _____ E-mail: _____

Team Details:

MOOTER -1 Name: _____

Gender: _____ Studying _____

E-mail ID: _____ Cell No. _____

MOOTER-2

Name: _____

Gender: _____ Studying _____

E-mail ID: _____ Cell No. _____

RESEARCHER

Name: _____

Gender: _____ Studying _____

E-mail ID: _____ Cell No. _____

Details for PAYMENT OF REGISTRATION FEE

All teams shall pay the Registration Fee through any of the following mode of Payment:

(i) Cash

(ii) D.D in favour of **“MSS Law College”** Payable at Hyderabad.

DD. Number: _____

Bank Name: _____

Date of issue: _____

(iii) R.T.G.S to Account Number: **006001100046994**

Mahesh Bank, Sultan Bazaar Branch, Hyderabad

IFSC CODE: APMC0000006

On or Before 20th September, 2018.

Signature of the Head of Institution / In charge of Moot Courts

DATE:

(With Seal of the Institution)