

# 1ST AMITY NATIONAL MOOT COURT COMPETITION 2019

## CLARIFICATIONS

### **NOTE:**

- The following set of clarifications based upon the 1st ANMCC Moot Proposition form part and parcel of the moot proposition and are to be read in association/consonance as such.
- These clarifications are based upon the requests for clarifications as received in the provided timeline.

Q.1 Whether the charges against Mr. Kehta with respect to his sketch were filed under the Indecent Representation of Women Act alone or also the Penal Code of Indistan for obscenity?

**Answer:** It is to be decided by the parties.

Q.2 Whether the issues regarding the constitutionality of the Odd-Even scheme as well as the obscenity charges against Mr. Kehta have been clubbed in a single petition by the High Court bench or by Mr. Kehta himself?

**Answer:** The High Court has clubbed the matters of constitutionality of the Odd-Even Scheme and obscenity.

Q.3 Whether the notification by the Lt. Governor implementing the Odd-Even scheme was issued under Section 115 of the Motor Vehicles Act?

**Answer:** Yes.

Q.4 Is the Motor Vehicles Act mentioned in the Proposition inclusive of the 2019 amendments?

**Answer:** Yes.

Q.5 Whether it shall be correct to say that, the notification issued on 23rd September (implementing the odd/even scheme) by the Lieutenant Governor of Khushal Pradesh does not exempt commercial vehicles (like taxi, etc) from the above-said scheme?

**Answer:** Yes.

Q.6 As per paragraph 18 of the moot problem Mr. Kehta filed a petition before the Supreme Court "in the matter of public interest ". Whether it shall be correct to say that the petition mentioned in paragraph 18 is a Special Leave Petition, provided under article 136 of the constitution of Indistan?

**Answer:** It is upon the parties to decide.

Q.7 The point 19 of the statement of facts states, "The pleadings in the case have been completed and the case is next listed for hearing on the 16th of November, for arguments before the Supreme Court." and thereafter the issue of the petition being maintainable is mentioned. If the said pleadings are completed, is it therefore assumed that the petition should be maintainable?

**Answer:** Despite this statement, it is to be treated that the issue of maintainability has to be addressed by the parties.

Q.8 Whether the issue of Odd-even case and the Satirical sketch have been clubbed together or not? And if it is clubbed, on what grounds have they been clubbed? Since there is no presence of any judgment about the Odd-Even case in High Court in the fact sheet. So how has that issue been raised directly in the Supreme Court without prior proceedings from High Court?

**Answer:** The Odd-Even scheme has been raised in the High Court. Kindly refer to paragraph 17 of the proposition.

**Note:** All questions that do not find mention in this document are not relevant to the present case.

\*\*\*\*\*