



**CHRIST**  
(DEEMED TO BE UNIVERSITY)  
DELHI-NCR, INDIA

SCHOOL OF LAW  
CHRIST (DEEMED TO BE UNIVERSITY), DELHI NCR CAMPUS

# 5<sup>th</sup> MOOT COURT COMPETITION, 2025

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21 - 23 MARCH, 2025

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KNOWLEDGE PARTNER



MEDIA PARTNER



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# 5<sup>th</sup> MOOT COURT COMPETITION 2025

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## ABOUT CHRIST UNIVERSITY

CHRIST (Deemed to be University), a premier educational institution, is an academic fraternity of individuals dedicated to the motto of Excellence and Service. The University is a nurturing ground for individual holistic development to effectively contribute to society in a dynamic environment. It was established as a college in July 1969 by the Carmelites of Mary Immaculate (CMI), founded by Blessed Kuriakose Elias Chavara. It was conferred the Deemed University Status in 2008 by the University Grants Commission (UGC) under Section 3 of the UGC Act, 1956. CHRIST (Deemed to be University) has five campuses, three in Bengaluru and one in Pune and Delhi NCR (off campuses). Ranked as one of India's top and reputed multi-disciplinary universities, CHRIST (Deemed to be University) Bangalore has been placed between 401-600 globally in the Times Higher Education Impact Ranking 2020. As per the latest NIRF 2024 rankings, CHRIST (Deemed to be University) enters the list of top 100 universities in India and grabs the 60th position. The School of Law has secured the 15th position in the Law category, retaining itself in the top 20s. According to QS Rankings, CHRIST (Deemed to be University) ranks in the 601-650 band amongst top Asian universities.

## ABOUT SCHOOL OF LAW

School of Law, CHRIST (Deemed to be University), Delhi NCR Campus, commenced its journey in 2019. It already has a proven history of success in the field of education. The School of Law offers Undergraduate, Postgraduate, and Doctoral programs in Law as per the guidelines of the Bar Council of India and the University Grants Commission. It has a flexible curriculum offering several options in different areas of specialization, and the same is designed with the requirements of the legal profession and academia kept in mind. The academic programmes offered at School of Law incorporate special opportunities such as Internships, Legal Aid, Moot Court, Trial Advocacy, Client Counselling, Value-added Courses, Skill Enhancement Workshops and Career-Oriented Training with outcome-based legal education. Students are provided opportunities to interact with members from the legal profession regularly, and the pedagogy of School of Law caters to the needs of students to be career-ready.

# ABOUT MOOT COURT SOCIETY

The Moot Court Society (MCS) at the School of Law, CHRIST (Deemed to be University), Delhi NCR Campus, was established in 2019. Entrusted with overseeing all mooting activities within the institution, MCS is dedicated to creating an enriching environment for students to master the art of mooting and advocacy. Students thrive in a resource-rich and intellectually stimulating setting that fosters the skills necessary for success in the legal profession.

The Annual Moot Court Competitions aim to foster academic excellence, sharpen legal acumen, and provide a platform for aspiring lawyers to engage and interact with peers from across the nation. These competitions serve as invaluable opportunities for intellectual exchange and professional growth. At MCS, we emphasize experiential learning, firmly believing that students refine their advocacy skills through active participation in moot court activities. This hands-on approach promotes a practical understanding of law and encourages professional development.

CHRIST (Deemed to be University), Delhi NCR Campus, hosted its first two editions of the National Moot Court Competition virtually in 2021 and 2022. The 4th National Moot Court Competition, held from 8 - 10 February, 2024, saw enthusiastic participation from 24 teams representing premier law schools across India. The event was marked by exceptional performances, setting a new benchmark for excellence and raising the standard for future editions.

The Moot Court Society warmly invites law students from across the nation to participate in the 5th Moot Court Competition, 2025, hosted by CHRIST (Deemed to be University), Delhi NCR Campus. This prestigious event offers a platform for aspiring legal professionals to showcase their advocacy skills and engage in meaningful intellectual exchange.



# SCHEDULE

<b>Release of Moot Proposition and Commencement of Online Registration</b>	<b>23 December, 2024</b>
<b>Deadline for Seeking Clarifications</b>	<b>20 January, 2025</b>
<b>Release of Clarifications</b>	<b>31 January, 2025</b>
<b>Deadline for Online Registration</b>	<b>04 February, 2025</b>
<b>Deadline for Submission of Memorials (Soft Copy)</b>	<b>09 March, 2025</b>
<b>Deadline for Submission of Memorials (Hard Copy)</b>	<b>21 March, 2025</b>
<b>Inauguration, Researcher's Test, Draw of Lots and Memorial Exchange</b>	<b>21 March, 2025</b>
<b>Preliminary Round, Quarter Finals and Semi Finals</b>	<b>22 March, 2025</b>
<b>Finals and Valedictory</b>	<b>23 March, 2025</b>

# RULES AND REGULATIONS

## **VENUE AND DATE**

The 5th Moot Court Competition shall be held in an offline mode at CHRIST (Deemed to Be University), Delhi NCR Campus from 21 - 23 March, 2025.

## **LANGUAGE**

The language of the competition shall be English.

## **ELIGIBILITY**

The competition is open for students who are pursuing LLB three/five year courses during the current academic year, i.e., 2024-25.

- Each team should consist of three members. However, a two member team may be allowed to participate with the discretion of the organizers.
- There shall be two speakers and one researcher designated for each team. The researcher shall be allowed to argue with prior permission of the court and the organizers in case of illness of the designated speakers.
- Teams should not disclose the identity of their institution; such disclosure shall invite penalties including disqualification. The decision for the same shall be at the discretion of the organizers.
- No additional team member other than the above three shall be entertained.
- Each team shall be assigned with the team code. Teams shall use only their Team code for identification purposes. Names of participants may not appear on or within the written submissions.

## **REGISTRATION**

Registration for the 5th Moot Court Competition shall commence on 23 December, 2024 and conclude on 04 February, 2025

All teams must follow the steps given below to register:

# RULES AND REGULATIONS

## REGISTRATION

The registration form should only be filled after making the payment of Rs. 6,000 (with accommodation)/ 5,100 (without accommodation). Please find the payment link here – **Payment Link**

Step 1: Click on the link.

Step 2: Scroll down to find the payment portal.

Step 3: Select CHRIST (Deemed to be University); next select FEST/CONFERENCE/WORKSHOP/EVENT: next select 5th Moot Court Competition.

- Each team must register by filling up the registration form through the link – **Registration Link**
- Each team shall complete such registration on or before 04 February, 2025 (23:59 Hours IST). Registration fee will be non-refundable, in case of non-participation or of any such reasons.
- In this form, the participants must upload the screenshot of the payment made (clearly depicting the transaction reference number); only then the registration shall be accepted.

## DRESS CODE

The teams should adhere to the Dress Code of the Competition:

- Female Participant(s): Western Formals (in Black and White); shirt, trousers, blazer.
- Male Participant(s): Western Formals (in Black and White); shirt, trousers, blazer, tie.
- Use of ID cards and other Disciplinary Requirements: Each participant will be issued an ID card at the time of entry into the University campus. It shall be mandatory for all participants to wear the ID card at all times inside the campus. Furthermore, it shall be mandatory for each participant to adhere to all the general rules and regulations of CHRIST (Deemed to be University), Delhi NCR Campus at all times.



# RULES AND REGULATIONS

## ACCOMMODATION, FOOD AND TRAVEL

- Participants will be provided accommodation around the vicinity of the University.
- Travel facility will be provided from the accommodation to the university in the morning, and back to the hotel in the evening. Participants who don't avail the travel services at the allotted time must make the arrangements for themselves. Participants will be provided bus pass at the time of registration and entry into the campus, which must be presented to get entry into the bus for travel purposes.
- Participants will be provided breakfast, lunch, high tea and dinner on all the three days of the competition. For getting the packed meals, food coupons will be issued at the time of registration and entry into the campus. To get your packed meals, lunch, and high tea, presenting the food coupon will be mandatory.

## STRUCTURE

The competition will be held over a period of three days i.e., 21 - 23 March, 2025. The competition shall consist of four (4) rounds; Preliminary Round, Quarter-Final Rounds, Semi- Final Rounds and the Final Round.

- **Draw of Lots:** The Draw of Lots will determine the side from which the participating team will first present their argument 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). This shall be conducted on March 21, 2025. The team codes will be provided to teams before the draw of lots but their sequence of participation will be decided there on.
- **Preliminary Round:** Each team shall present their arguments from one side in this round, i.e., Petitioner's side or the Respondent's side, as determined under the Draw of Lots. The top eight teams based on their Total Preliminary Score in the Preliminary Round shall qualify for the Quarter-Final Rounds. Total Preliminary score does not include the memorial score.

# RULES AND REGULATIONS

- **Quarter-Finals:** The top eight teams from the Preliminary Round shall proceed to the quarter finals. This will be a knockout round; hence winners will be decided on the basis of courtroom win. The sides of the teams will be determined by draw of lots. The Draw of Lots will also decide which team you will be competing against (There will be no pre-decided fixtures).
- **Semi-Finals:** The top four teams from the Quarter Finals shall proceed to the semi-finals. This round again will follow the knock-out round. The sides of the teams will be determined by Draw of Lots. The Draw of Lots will also decide which team you will be competing against (There will be no pre-decided fixtures).
- **Final Round:** The winner of each courtroom fixture i.e., two teams from the semi-final round shall proceed to this round. The sides of the teams will be determined by Draw of Lots.

## MEMORIAL SUBMISSION

- Each Team is required to prepare Written Submissions for both sides, i.e., the Petitioner and the Respondent of the case.
- A Written Submission shall be identified solely by the Team Code assigned to the Team. The Written Submissions shall not, in any way, disclose any fact pertaining to the identity of the Team members.
- One soft copy (only in **MS Word doc/docx** format) must be emailed to **mcs.ncr@christuniversity.in** latest by **09 March, 2025 (23:59 Hours IST)** with the subject "Memorials for TC \_\_". The file names of the electronic copies of the Memorials must contain only the team code and the side being represented in the following format:

*e.g. (for Team Code 15) 15P or 15R, "P" being for "Petitioner" Memorial and "R" for "Respondent" Memorial and so forth.*

- At the time of inauguration ceremony on 21 March, 2025, each team will be required to also submit three hard copies of their memorials prepared from both the sides, i.e., three copies from the petitioner's side and three copies from the respondent's side. The hard copies must be spiral bound, and must adhere to all the guidelines mentioned below.

# RULES AND REGULATIONS

Memorial Submission shall consist of the following mandatory heads:

- a. Cover Page
- b. Table of Contents
- c. List of Abbreviations
- 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. Prayer (not exceeding 1 page)

The cover page of the Memorials must contain the following:

- a. The Team Code in the upper right-hand corner.
- b. The name and place of the jurisdiction.
- c. The provision under which case is filed.
- d. Name of the Parties and Status.
- e. The side for which the Written Submission has been prepared - Memorial filed on Behalf of Petitioner/Respondent.

Furthermore, participants must follow a uniform formatting style in their memorials:

- a. Font Type: Times New Roman
- b. Font Size: 12
- c. 1.5 Line Spacing
- d. Margin: One inch on one side
- e. Footnotes:
  - Font type: Times New Roman
  - Font Size: 10
  - Single Line Spacing

# **RULES AND REGULATIONS**

It is further clarified that the Organization committee reserves the right to refuse acceptance of any memorial which is in violation of any of the above-mentioned norms.

Teams shall cite authorities in the Memorial using footnotes following the Harvard Bluebook 21st Edition. Colour of the cover page must be: Blue in case of Petitioner/Appellant & Red in case of Defendant/Respondent.

## **COMPENDIUM**

All participating teams at their option can prepare a compendium as a supplement to their memorial submission. The compendium may contain all relevant provisions of law and important judgments cited if any. There can be no arguments/argumentative interpretation of facts/judgments in the compendium. Any such arguments will be disregarded and shall result in penalization. The compendium may be presented to the judges for further reference and clarity of argument presented by the speaker.

## **PLAGIARISM**

- Participants must refrain from plagiarism of any kind. Any use of publicly available information must be accompanied by proper citations.
- Failure to comply with this rule may result in being debarred from the 5th Moot Court Competition, 2025.

## **CHANGES IN SOFT COPY**

An attempt at sending a different or shortened or corrected version of your pleadings as soft copy will result in disqualification from the selection process for the competition.

## **CONDONATION OF DELAY**

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

# RULES AND REGULATIONS

## CRITERIA OF EVALUATION

Speakers would be adjudged under the following categories during their Oral Presentation:

S. NO.	CRITERION	MARKS
1	KNOWLEDGE OF FACTS	25
2	ADVOCACY SKILLS	25
3	ANALYSIS AND AUTHORITIES CITED	25
4	RESPONSE TO JUDGES QUESTIONS	15
5	COURT MANNERISMS	10
GRAND TOTAL		100

Scoring of Rounds shall be based on the oral presentation done by the teams. However, in case of a tie between two teams, the team with the higher memorial score will be allotted a higher rank.

## CLARIFICATIONS

- Participating teams may request for clarifications to the official moot problem by sending an email to [mcs.ncr@christuniversity.in](mailto:mcs.ncr@christuniversity.in) by **20 January, 2025 (23:59 Hours IST)**. Full list of clarifications will be released on **31 January, 2025**.
- **Note:** Clarifications through any medium other than emails will not be entertained and taken into account.

# RULES AND REGULATIONS

## PENALTIES

Late submission	1 mark per memorial every 2 hours after deadline. Disqualification beyond 48 hours.
Wrong file name	1 mark per memorial
Failure to submit memorial as one file	1 mark per memorial
Exceeding page limit	0.5 mark per page
Failure to include all components of the memorial	3 marks per memorial
Failure to include all required information on the cover page	1 mark per memorial
Failure to use the correct colour coding	2 marks per memorial

# **RULES AND REGULATIONS**

## **RESEARCHERS TEST**

- The Researchers Test shall be conducted on Day 1 of the Competition.
- The test shall be for a duration of 45 minutes only. The test will be based on 50 MCQs (Multiple Choice Questions). Each question shall carry one mark, and there shall be a negative marking of 0.25 marks. The score of the researcher's test will not be added in the overall score of the team. However, a separate award will be given to the Best Researcher, ie, the researcher who scores the highest marks. In case of a tie, the Award will be given to the one who had less incorrect answers.
- If a team comprises two members, then one of the two members shall be eligible to take the test. However, the team must notify the organizers in advance as to which of the team members shall take the test.

## **SCOUTING**

Scouting shall be deemed to have happened if the speakers, researcher or any other person affiliated with a team is found: Witnessing, hearing, observing, etc. the oral submissions in a Round, except where the round is one in which the team to which he/she is affiliated is participating in reading a memorial of a team except where: it is of the team to which he/she is affiliated; or the memorials have been obtained on account of an exchange of memorials prior to a round of the team to which he/she is affiliated.

## **DISCLAIMER**

The Proposition does not attempt to resemble any incident or any person, living or dead. Any such resemblance is purely coincidental. The Proposition is fictitious and is prepared for the purposes of the present Competition only and it does not attempt to influence or predict the outcome of any matter whatsoever.

## **AWARDS/ TROPHY**

- The team with the maximum score in the final round will be declared as the "Winning Team" and the team with the second highest score in the final round will be declared as the "Runners up Team".
- The speaker with the maximum score in the Preliminary Rounds will be declared as the "Best Speaker".

# RULES AND REGULATIONS

- The team with the maximum Memorial scores will be awarded as "The Best Memorial".
- The researcher scoring the highest marks in the Researcher Test will be awarded as "The Best Researcher".

## GENERAL RULES FOR THE ORAL ROUNDS

### GENERAL PROCEDURE

1. The language to be used during the Rounds is English.
2. The Competition shall consist of the following Rounds:
  - a. Preliminary Rounds
  - b. Quarter-Finals
  - c. Semi-Finals
  - d. Final

During each of the above-mentioned rounds, the order in which the teams shall present their arguments is as follows:

- a. Petitioner Speaker 1
- b. Petitioner Speaker 2
- c. Respondent Speaker 1
- d. Respondent Speaker 2
- e. Rebuttal

- The Best Speaker Award shall be determined on the basis of the individual aggregate score of the Speaker taken only from the Preliminary Rounds.
- The Researcher shall not be permitted to address the Court during the Oral Rounds. The Researcher may however, be permitted to pass notes to the Speakers at the discretion of the Judges.
- The use of mobile phones or any other electronic gadgets during the oral rounds would be strictly prohibited, unless specifically allowed by the judge in the respective courtroom. The decision of the Judges as to the marks allotted to each team shall be final.



# RULES AND REGULATIONS

## EXCHANGE OF MEMORIAL

- Memorials shall be exchanged based on the Draw of Lots that will take place before the commencement of each round.
- The side to be represented and the team clash, as determined by the draw of lots, shall be final; and no request for changing the same shall be entertained.

## PRELIMINARY ROUND

- Each side shall get a maximum of 20 minutes which will be divided by both the speakers of the team to present their arguments. The time limit is exclusive of the time for Rebuttal. The maximum time for Rebuttal is five minutes. Time allocation for Rebuttals depends upon the discretion of the bench.
- The top eight teams shall qualify to the Quarter Final Rounds on the basis of the aggregate score of the team in their Preliminary Rounds. In the event of a tie, the Memorial marks shall be taken in consideration.

## QUARTER FINAL ROUND

- The maximum time for the arguments per side shall be 30 minutes which will be divided by both the speaker of the team. The time limit is exclusive of the time for Rebuttal. The maximum time for Rebuttal is five minutes. Time allocation for Rebuttals depends upon the discretion of the bench.
- The top four teams of the Quarter-final Round shall advance to the Semi-final Round.

## SEMI FINAL ROUND

- Each side shall get a maximum time of 40 minutes which will be divided by both the speakers of the team to present their arguments. The time limit is exclusive of the time for Rebuttal. The maximum time for Rebuttal is 5 minutes. Time allocation for Rebuttals depends upon the discretion of the bench.
- The top two teams of the Semi-final Round shall advance to the Final Round.

# RULES AND REGULATIONS

## FINAL ROUND

- Each side shall get a maximum time of 45 minutes which will be divided by both the speakers of the team to present their arguments. The time limit is exclusive of the time for Rebuttal or Sur-rebuttal respectively. The maximum time for Rebuttal is 10 minutes. Time allocation for Rebuttals depends upon the discretion of the bench.

## MISCELLANEOUS

- The Rules governing the conduct of the Competition should be strictly adhered to. Any deviation thereof can attract penalties or disqualifications at the sole discretion of the Organising Committee.
- The Organising Committee reserves the right to amend, alter, vary or change, in any manner whatsoever, the Rules governing the Competition, which would be communicated to the teams within a reasonable period of time.

# AWARDS

WINNER	RS. 60,000/- + TROPHIES + 1 YEAR SUBSCRIPTION TO SCC ONLINE
RUNNER UP	Rs. 40,000/- + TROPHIES
BEST RESEARCHER	Rs. 15,000/- + TROPHY
BEST SPEAKER	Rs. 15,000/- + TROPHY
BEST MEMORIAL	Rs. 15,000/- + TROPHY

Note: Certificate of Participation and one month subscription to SCC Online shall be issued to all the participants.

# MOOT PROPOSITION

The country of Indigo is a large country having a unitary-federal structure and a population of around 2 billion people. Indigo's constitution provides for preventive detention and pursuant to that the Indigo legislature enacted the National Security Act in the year 1980. Under the National Security Act, 1980 both the Government of Indigo as well as the State Governments of Indigo may make orders to preventively detain persons.

In the year 2020, the Government of Indigo noticed that there was a rise in the number of incidents of communal violence that arose across Indigo. These incidents of communal violence in most cases were triggered by posts made on social media or disinformation that had been spread on social media.

With a view of countering the rise in incidents of communal violence the Government of Indigo entered into an agreement with a company known as Abed LLC registered in Tel Aviv, Israel. Under the agreement, Abed LLC was engaged to provide and create a solution by which these incidents of communal violence could be reduced. Abed LLC worked on the project for a year and presented the Government of Indigo with a computer program called "IBPA" i.e. the Internet Based Policing Assistant which was rolled out in 2023.

The IBPA could conduct real time monitoring of all social media in Indigo that was unencrypted. Based on the data its gatherers, the IBPA is in a position mark posts as "sensitive" so that the Government could keep watch on these posts or take action to take down these posts. A unique feature of IBPA is that the IBPA employs artificial intelligence to predict which post is likely to trigger violence in which area and it can use linguistic pattern analysis to determine the authorship of a particular post in case multiple accounts make the same post.

The system may also be used in real time to shut off or slow down internet access all over or in a part of Indigo to prevent the spread of communal social media posts or disinformation. The IBPA is run by the Central Ministry of Home Affairs which is the responsible ministry along with the Department of Telecommunications which provides the back-end support by implementing IBPA in coordination with telecom operators and ISPs. State Governments have access to IBPA data via an all-Indigo IBPA portal. This data is also shared on a real time basis with all police stations in Indigo so that local police can take action to prevent communal violence within their jurisdictions.

# MOOT PROPOSITION

Guddu is a State in Indigo. In the year 2023 Guddu passed detention orders qua five students at the Guddu Law College under the Indigo National Security Act, 1980 and these students were arrested by the Guddu State Police. All five students were released on the same day after police officers verified that they had deleted their social media accounts. The students also furnished an undertaking that they would not use social media again for a period of 10 years from the date of the undertaking and waived their right to challenge the detention order issued against them. No further grounds for their detention were supplied to them and copies of the detention orders served on the students were taken back by Guddu State Police. These detention orders were marked as “Secret”.

While all the students were relieved to be released, one of the students Inderjeet Kiran was upset at what transpired. He went and spoke to his friend Guar Bose who was a student at the Guddu College of Journalism. They were hostel mates. Guar Bose at that point was an intern at a leading online media publication known as “The Cable”. Guar went and spoke to his editor at The Cable about the detention of the five law students. The Cable wondered why such a detention order was issued and appointed a journalist by the name of Kokomo to investigate the matter to see if there was a story.

Kokomo proceeded to perform a detailed investigation into the matter and posted on a social media handle saying she was looking to speak to persons who had been arrested by the police and then let go after agreeing to delete their social media accounts. She asked people to connect with her if they knew of anyone who had been in a similar situation. Kokomo received over five hundred responses via Direct Message where people shared copies of detention orders as well as the undertakings signed by their friends and family members. Kokomo also received a message from a person claiming to have been working with the Ministry of Home Affairs, Government of Indigo. This message requested that Kokomo send a message via an encrypted chat app called Singal to speak to this person. This person then proceeded to share with Kokomo a large cache of documents showing communications between the Ministry of Home Affairs, Government of Indigo and Abed LLC. The person did not disclose their identity but affirmed that the documents shared were authentic.

## MOOT PROPOSITION

This cache of documents revealed that the IBPA created by Abed LLC did not just flag sensitive posts on social media but also claimed to have the ability to predict which users are likely to post sensitive content. This feature was enabled for all Indigo law enforcement agencies, who were making lists of persons who they suspected would post sensitive content on the internet. Law enforcement agencies were using this information to make detention orders under the National Security Act, 1980 and using these detention orders to ask the detainees to undertake to leave social media as had been the case with the students at the Guddu Law College. The cache of documents also revealed a classified Office Memorandum issued by the Ministry of Home Affairs, Government of Indigo in 2023 where state law enforcement agencies were notified of this feature of the IBPA and told how to operationalise the systems of detentions.

Kokomo proceeded to write a story about this for “The Cable” on 1 August 2024 where these documents were revealed to the public. It was also mentioned that she had learnt of at least 500 incidents where detention orders were passed based on predictive information generated by the IBPA. On the day the story was published, the offices of “The Cable” were raided by officers of Indigo’s Central Bureau of Investigation based on a search warrant issued under Indigo’s Official Secrets Act, 1923. Kokomo was then arrested for alleged offences under the Official Secrets Act, 1923 and remanded by the Special CBI court to police custody for a period of fifteen days. In the FIR registered by the CBI it is mentioned that leaking the MHA Office Memorandum constituted an offence under the Official Secrets Act, 1923.

On 5 August 2024 a social activist by the name of John Cena filed a Public Interest Litigation before the High Court of Guddu State demanding that the Central Government make public the data on which the IBPA AI was trained as well as the algorithm for the training model or in the alternative issue a writ that the use of the IBPA be stopped till this data was made public. This petition was resisted by the Central Government on the grounds that it would violate the terms of the Agreement with Abed LLC which required the Central Government to safeguard the training data since the data was the intellectual property of Abed LLC. John Cena argued that this cannot be the case as the data was scraped from the public profiles of social media users in Indigo and merely collecting the data would not give Abed LLC the copyright over it. Further, Cena argued that disclosure of the model was essential to maintain the rule of law and closed source predictive policing models violated Article 21 of the Constitution. The Guddu High Court allowed the PIL on 5 August 2024 and stayed the operation of the IBPA till the training data and model were made public.

# MOOT PROPOSITION

On 6 August 2024, Kokomo filed a writ petition under Article 32 of the Constitution of Indigo before the Supreme Court asking for a writ of Habeas Corpus to be issued freeing her from detention. She stated that what she had done was make a disclosure in the public interest and the use of the Official Secrets Act, 1923 was malafide and her remand order was liable to be quashed under Article 32. (*Kokomo v. Union of Indigo WP(Crl) 100 of 2024*)

On 8 August 2024, Inderjeet Kiran filed a petition before the Supreme Court of Indigo under Article 32 of the Constitution of Indigo seeking a writ that the use of the IBPA by the Government of Indigo was ultra vires of the Constitution of Indigo as it amounted to an arbitrary exercise of detention powers. The lack of human oversight over the detention orders and the use of detention to coerce persons to sign undertakings violated rights under Part III of the Constitution of Indigo. He also sought an order that all the undertakings and detention orders made pursuant to the use of the IBPA system as well as the Office Memorandum be quashed. (*Inderjeet Kiran v Union of Indigo WP(C) 101 of 2024*)

On 9 August 2024, the Central Government challenged the High Court of Guddu by way of a Special Leave Petition before the Supreme Court of Indigo and sought a stay on the operation of the Guddu High Court Order. Leave to appeal was granted and stay was granted on 10 August 2024 with notice issued to John Cena. Abed LLC filed an intervention application in the Supreme Court of Indigo to protect their intellectual property rights and this was also allowed by the Supreme Court. Abed LLC stated that they would adopt the submissions made by the Government of Indigo during the Appeal and would not be making independent submissions. All State Governments were also impleaded by the Supreme Court in this matter and they have filed a common affidavit stating they will be adopting the submission of the Union. (*Union of Indigo v. John Cena Civil Appeal No. 103 of 2024*)

The Chief Justice of Indigo has tagged all these matters to be heard together as they relate to similar questions of law. Since the petitions involved a substantial question of law, the matter was referred to a bench of five judges to opine on the following questions of law:

# MOOT PROPOSITION

## *Arising from Inderjeet Kiran v. Union of Indigo WP(C) 101 of 2024:*

1. Whether Inderjeet Kiran can maintain the present writ petition considering the undertaking signed by him to release him from detention?
2. Whether the use of Artificial Intelligence to determine the subjects of detention orders violates Article 14 of the Constitution of Indigo.

## *Arising from Union of Indigo v. John Cena Civil Appeal No. 103 of 2024:*

3. Whether Abed LLC has Intellectual Property in an AI Model whose training data was the publicly available social media posts of Indigo Citizens?
4. Whether the details of the IBAP are liable to be released to the public considering the right to information contained under Article 19(1)(a) of the Constitution of Indigo.

## *Arising from Kokomo v. Union of Indigo WP (Crl) 100 of 2024:*

5. Whether a writ of Habeas Corpus can be maintained against a remand order passed by a Magistrate.

Kokomo, Inderjeet Kiran and John Cena have agreed to be represented by common counsel before the Supreme Court. The Government of Indigo, the Government of Guddu and Abed LLC are represented by the Solicitor General of Indigo.

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*\*The Moot Proposition has been drafted by Mr. Ajay Kumar, Partner, Triumvir Law. Any contact with him regarding the proposition shall constitute an offence of scouting and attract disqualification or any other punishment deemed fit by the organisers.*

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