

MOOT PROBLEM

BEFORE THE SUPREME COURT OF THE REPUBLIC OF INDICA

UNDER ARTICLE 32 OF THE CONSTITUTION OF INDICA

1.

The Republic of Indica is a sovereign democratic republic whose Constitution, statutory framework and judicial principles are *pari materia* with those of the Republic of India. Unless otherwise indicated, references to constitutional provisions and statutes shall be construed in accordance with their Indian counterparts, including the Constitution of India, the Bharatiya Nyaya Sanhita, 2023, the Bharatiya Nagarik Suraksha Sanhita, 2023, the Bharatiya Sakshya Adhiniyam, 2023, the Information Technology Act, 2000, the Public Examinations (Prevention of Unfair Means) Act, 2024, the Temporary Suspension of Telecom Services (Public Emergency or Public Safety) Rules, 2017, and all allied legislation.

2.

The National Medical Eligibility Examination ("NMEE") is the sole qualifying examination for admission into undergraduate medical institutions throughout Indica. Nearly three million candidates appear annually. The examination is administered by the National Evaluation Authority ("NEA"), an autonomous statutory authority under the Ministry of Education. For several years, the Authority had promoted the NMEE as a fully encrypted and end-to-end secure digital examination system that eliminated the possibility of paper leaks or external interference.

3.

Three days before the scheduled examination, cybersecurity analysts employed by the National Cyber Security Centre detected unusual encrypted traffic between the NMEE server infrastructure and multiple unidentified foreign IP addresses. A confidential advisory recommending immediate suspension of the examination pending a comprehensive forensic audit was transmitted to senior officials of the National Evaluation Authority (NEA) and the Ministry of Education. The recommendation was not acted upon.

4.

The examination proceeded as scheduled. Within twenty-four hours, encrypted copies of the complete question paper began circulating on multiple messaging platforms. Simultaneously,

several coaching institutes publicly claimed that certain questions had been discussed during closed-door "prediction sessions" conducted before the examination. The NEA denied any compromise and declared that no evidence of systemic malpractice had been detected.

5.

A week later, an anonymous employee of the Authority leaked internal correspondence to independent media organisations. The leaked emails appeared to indicate that senior officials had received repeated warnings about vulnerabilities in the Authority's digital infrastructure but had decided against postponing the examination for logistical and political reasons. The Government initiated criminal proceedings against the employee for unauthorised disclosure of confidential governmental information and offences under the Digital Information and Technology Act, 2000 (DITA) Several civil society organisations described the employee as a whistleblower acting in the public interest.

6.

Following widespread public concern, the Central Investigation Bureau (CIB) commenced an investigation. Its preliminary forensic report concluded that approximately **11% of examination centres** had been compromised through organised criminal networks. However, an independent committee of cybersecurity experts appointed by the National Association of Universities (NAU) concluded that the compromise extended to the central encryption architecture itself and that no reliable method existed to identify affected candidates. The two reports reached irreconcilable conclusions.

7.

Relying upon the latter report, the Union Government directed that the examination be conducted afresh throughout the country. Nearly two million candidates appeared in the re-examination. Approximately 600,000 candidates did not participate, citing financial hardship, travel constraints, mental health concerns, and uncertainty about the admission process. Candidates who had secured high ranks in the first examination challenged the cancellation of their results.

Candidates who improved their ranks in the re-examination opposed any attempt to revive the earlier examination. Candidates who missed the re-examination sought restoration of their original scores.

8.

Within four months, national media reported multiple student suicides allegedly linked to examination-related uncertainty. Parents' associations, resident doctors, universities and educational institutions demanded an independent judicial inquiry into the conduct of the NEA.

9.

A nationwide citizens' campaign calling itself the **Forum for Constitutional Accountability ("FCA")** was launched. The movement publicly declared itself politically neutral and prohibited the display of political party symbols during demonstrations.

Its principal demands included:

- establishment of an independent constitutional commission to investigate the examination controversy;
- resignation of the Union Minister for Education pending completion of the inquiry;
- compensation for families of students alleged to have died due to examination-related distress; and
- statutory reform of the public examination system.

10.

An internationally renowned environmental activist and recipient of the Republic's highest civilian honours, **Professor Arvind Norbu**, joined the movement. Professor Norbu commenced an indefinite hunger strike at the Loktantra Maidan in the National Capital Territory of Indica after executing a written declaration refusing all invasive medical intervention in the event of loss of consciousness.

Thousands of students, teachers, lawyers, retired judges and medical professionals assembled peacefully in support of the movement. Volunteer legal aid clinics, medical camps and counselling centres were established at the protest site.

11.

The Commissioner of Police promulgated prohibitory orders under the Indica Nagarik

Suraksha Sanhita prohibiting public assemblies within a five-kilometre radius of Loktantra Maidan.

The Union Government simultaneously directed the temporary suspension of mobile internet services in parts of the National Capital Territory of Indica and ordered intermediaries to block several social media accounts and live broadcasts under the DITA.

Authorities stated that intelligence inputs suggested coordinated attempts by extremist organisations to infiltrate the demonstrations and provoke widespread public disorder. The organisers disputed the existence of any such intelligence.

12.

Despite refusal of permission, the Forum announced a peaceful "March for Institutional Accountability" to the Parliament of Indica. Police authorities established barricades at multiple locations. According to the Petitioners, the gathering remained peaceful until police resorted to tear gas, water cannons and baton charges without exhausting less restrictive alternatives. According to the Respondents, unidentified persons infiltrated the crowd, damaged public property and assaulted police personnel, thereby necessitating proportionate force.

13.

During the police action, a volunteer doctor providing emergency medical assistance to injured protesters sustained grave injuries allegedly caused by the impact of a tear gas shell. The Respondents maintain that the precise circumstances remain under investigation and deny any excessive use of force. Several journalists, legal observers and medical volunteers were detained.

14.

An accredited independent journalist continuously livestreaming the demonstrations had his recording equipment seized by police officers. The journalist was detained for several hours on the allegation that the livestream was likely to incite public disorder and disclose operational details of police deployment. Media organisations alleged suppression of press freedom. The Union Government maintained that the measures were temporary and proportionate.

15.

At approximately 2:30 a.m., police officers removed Professor Norbu from the protest site and transported him to the National Institute of Medical Sciences. The Petitioners allege that no arrest memo, detention order or judicial authorisation was produced and that his legal representatives remained uninformed for several hours.

The Respondents contend that Professor Norbu was never arrested and was merely shifted to protective medical custody owing to imminent risk to life.

16.

Despite Professor Norbu's written refusal of treatment and advance medical directive, attending doctors commenced intravenous hydration and nutritional support. The Petitioners contend that involuntary medical treatment violated bodily autonomy, decisional privacy and dignity under Article 21. The Respondents argue that the State possesses a positive constitutional obligation to preserve life and prevent avoidable deaths during public protests.

17.

Following the demonstrations, the Union Government constituted a **High-Level Committee on Examination Reforms**. The Committee consisted exclusively of serving bureaucrats and senior government officials. The Government described the Committee as an expert administrative mechanism. The Petitioners alleged that its composition lacked institutional independence and public confidence.

18.

The prohibitory orders remained in force for over six weeks through successive extensions. Mobile internet services continued to be suspended in different areas on multiple occasions. The Government asserted that each extension was independently reviewed based upon evolving security assessments. The Petitioners contend that the repeated extensions effectively amounted to a continuing prohibition upon peaceful democratic dissent.

19.

Aggrieved thereby, a consortium comprising affected students, parents, resident doctors, journalists, digital rights organisations and civil society groups instituted a writ petition under Article 32 before the Supreme Court of India seeking, inter alia:

- a declaration that the restrictions imposed upon the protests violated Articles 14, 19 and 21;

- constitution of a Court-monitored Special Investigation Team to investigate the examination controversy;
- compensation for families of deceased students and persons injured during the protests;
- judicial guidelines regulating police action during peaceful assemblies;
- constitutional standards governing involuntary medical treatment of competent adults engaged in hunger strikes;
- safeguards concerning internet shutdowns, digital censorship and seizure of journalistic equipment;
- institutional reforms to ensure transparency, accountability and independence in the conduct of national public examinations.

20.

Having regard to the substantial questions relating to constitutional governance, executive accountability, freedom of peaceful assembly, digital rights, public examinations, police powers, medical autonomy and the permissible limits of State action in a constitutional democracy, the Supreme Court of India admitted the petition and referred the matter to a Constitution Bench.

ISSUES

1. *Whether the cancellation and re-conduct of the NMEET violates Articles 14 and 21 of the Constitution?*
2. *Whether the unauthorised access, circulation of the question paper and disclosure of confidential examination material attract criminal liability under the applicable penal and information-technology laws?*
3. *Whether the prohibitory orders, internet restrictions and blocking of online content violate Articles 19(1)(a) and 19(1)(b) of the Constitution?*
4. *Whether the detention of the journalist and seizure of his equipment violate Articles 19(1)(a) and 21, and whether the police action attracts criminal liability for excessive or unlawful exercise of force?*