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MOOT PROPOSITION

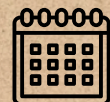
10th INTER UNIVERSITY MOOT COURT COMPETITION

on

CONSTITUTIONAL LAW

under the aegis of

MOOT COURT SOCIETY,
LAW COLLEGE DEHRADUN



9th October,
2026
to
11th October,
2026



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MOOT PROPOSITION

[I]

1. The Republic of Suryavarta is a sovereign, democratic and constitutional republic founded upon the ideals of justice, liberty, equality and fraternity. The governance of the Republic is guided by a written constitution, which serves as the supreme law of the land and provides the framework for its political, legal and administrative institutions. Modeled on a federal parliamentary system, the Republic of Suryavarta ensures a delicate balance between the autonomy of its constituent states and the government.
2. The polity of the Republic of Suryavarta rests upon the federal distribution of powers between the Union and the States/Union Territories, classified in the Union, State, and the Concurrent list, thereby demarcating the legislative competence and the administrative responsibilities. It also embodies the doctrine of Separation of Powers, envisaging the three organs: the legislature, executive, and the Judiciary. The Judiciary, independent and impartial, stands as the ultimate guardian of constitutional governance and is entrusted with the duty of preserving the supremacy of the Constitution through judicial review of legislative and executive action.
3. The Union Parliament of the Republic of Suryavarta, in the capital city of Indraprastha, consists of two houses: the Lok Sabha and the Rajya Sabha. The President acts as the constitutional head of the state. At the same time, the Prime Minister, along with the Council of Ministers, exercises the executive powers of the Union and remains collectively responsible to the Lok Sabha. The federal framework of Suryavarta thus embodies a cooperative balance between the autonomy of the state and the authority of the Union, ensuring that the governance of the Republic operates within the spirit of constitutionalism, democratic responsibility and national unity.
4. Located among the northern ranges of the Hindu-Kush Mountains, the Union Territory of Ladhara is known for its stunning scenery, delicate environment and its vast strategic importance. Ladhara, with its vast international borders with neighboring countries, holds a special geopolitical status and thus is the focus of national security and defense policy. In addition to its strategic importance, the area is also rich in indigenous tribal



communities whose traditions, languages, customs, and community-based rules of governance have flourished for centuries in a natural balance with the difficult mountain environment. The people of Ladhara have relied on group management of natural resources, and their cultural identity is closely connected to maintaining the region's unique ecological heritage.

5. Despite its immense strategic significance, Ladhara has historically remained one of the least developed frontier regions of the Republic. Owing to its difficult mountainous terrain, harsh climatic conditions and sparse population, several villages continue to remain seasonally inaccessible. Parliamentary Committees, Defense Infrastructure Assessments and Government Planning Reports over the past decade consistently highlighted inadequate road connectivity, limited healthcare facilities, declining educational opportunities, youth migration and insufficient economic activity as major developmental challenges. Several reports also emphasized that robust civilian infrastructure in the border region was indispensable for strengthening national security and improving strategic preparedness.
6. Until the year 2019, Ladhara was a part of the erstwhile State of Kashwara. Given the administrative and security issues of running a large mountainous state, Parliament passed the Kashwara Reorganization Act, 2019, reorganizing the State into two Union Territories (The Union Territory of Kashwara and the Union Territory of Ladhara). The reorganization was a constitutional change, designed to "redouble efforts to better allocate public resources and facilitate infrastructure development, and to improve administrative efficiency and strengthen governance" in the "most strategic frontier" of the country, the Union Government said. It was again claimed that direct Union rule will help implement welfare schemes more quickly and effectively, and that better co-ordination can be achieved in matters of national security. However, while reorganizing the erstwhile State, Parliament consciously refrained from incorporating any special constitutional safeguards relating to land ownership, indigenous governance, public employment or demographic protection within the Reorganization Act itself, leaving such questions for future legislative consideration.
7. After the reorganization, the ruling party at the center, the Suryavarta Janta Party (SJP), repeatedly promised the Ladharas that after the reorganization, the region's distinct cultural

and tribal identity would not be affected. Senior Union Government officials, in parliamentary discussions, official policy statements, election manifestos, and speeches, highlighted their goal of maintaining the region's demographic, ecological, and socio-cultural character. These pledges were made in public, including the inclusion of Ladhara in the Sixth Schedule of the Constitution, the creation of a Public Service Commission to provide equal opportunities in the public sector, the institution of local land and employment, and the eventual recognition of greater political autonomy, including statehood, as soon as administrative stability and institutional development were achieved. These assurances were reiterated on several occasions through Parliamentary debates, official press releases, public speeches by constitutional functionaries, election manifestos and responses to representations submitted by various organizations from Ladhara, creating widespread public expectation that such safeguards would be implemented within a reasonable period. **(Annexure 1)**

8. Over the subsequent years, the Union Government formed several expert committees and administration groups to consider the constitutional, financial and institutional viability of these proposals. While a majority of the committees broadly endorsed phased implementation of developmental initiatives alongside gradual institutional reforms, one Expert Committee expressed reservations regarding the sequencing of such measures. The Committee observed that large-scale developmental projects involving land, infrastructure and investment ought to follow, rather than precede, the creation of adequate constitutional and statutory safeguards protecting indigenous communities and traditional institutions. Nevertheless, the Union Government maintained that the reports were advisory in nature and that developmental priorities could not remain indefinitely postponed pending constitutional reforms.
9. In March 2025, the Union Government notified the Ladhara Integrated Development and Investment Policy, 2025 (LIDIP) with the stated objective of promoting sustainable economic development, strengthening strategic infrastructure and enhancing private and public investment in the Union Territory. The Policy envisaged the establishment of Strategic Development Zones, Integrated Border Infrastructure Corridors, Tourism Development Clusters, Renewable Energy Parks, and Special Industrial Investment Clusters in identified areas. To facilitate timely implementation of these projects, the Policy permitted long-term leasing of Government land for approved developmental

purposes, introduced a single-window clearance mechanism for obtaining administrative approvals, and provided for time-bound environmental and regulatory clearances through designated Central authorities. It further proposed a digitized land administration system, special fiscal incentives for investors, skill-development programs, and preferential employment opportunities for eligible residents in notified developmental projects. The Union Government maintained that these measures were necessary to attract responsible investment, improve infrastructure, generate employment, strengthen border management and ensure balanced regional development in a strategically significant frontier territory.

(Annexure 2)

10. The Union Government contended that LIDIP was a "bigger step" towards making Ladhara a "model region" for sustainable development and in attuning economic growth to national security requirements. It believed that the Policy would create jobs, enhance connectivity, upgrade border infrastructure, attract responsible private investment, and encourage environmentally friendly development using modern planning processes. The Union Government noted that Ladakh's specific strategic context called for a governance model that addressed the need for national coordination in decision-making while remaining administratively efficient. The Union Government also relied upon strategic assessments prepared by defense and infrastructure agencies, which recommended accelerated development of all-weather roads, logistics hubs and civilian infrastructure to ensure long-term strategic preparedness in the frontier region.
11. However, the notification of LIDIP caused a lot of concern in the local representative bodies, tribal councils, environmental organizations and civil society groups throughout Ladhara. They argued that the Union Government had always said that it was important to maintain the region's special demographic and ecological features. Still, the proposed developmental plan had been put forth without first ensuring the institutional safeguards that had been repeatedly promised. It was feared that the lack of legislation on land administration, public employment, and participatory governance would have a huge negative impact on the capacity of the region's local institutions to influence decisions that directly impact the region's natural resources, cultural heritage, and traditional community-based practices.
12. At the same time, several local business associations, transport operators, tourism



entrepreneurs, young professionals and sections of the educated youth publicly welcomed the Policy, expressing hope that the proposed investments would generate employment opportunities, reduce outward migration and integrate Ladhara more effectively with the national economy. Consequently, public opinion within the Union Territory itself remained sharply divided regarding the long-term implications of the Policy.

13. Thereafter, several representations and memoranda were made by the Ladhara Hill Council, recognized tribal organizations, youth associations and environmental groups to the Union Government to review the implementation of LIDIP till proper constitutional and institutional safeguards were in place. The Union Government received such representations but reiterated that the demands for better constitutional protection, creation of new constitutional institutions and political autonomy were still under active consideration. It still held that development projects would have to be carried out sooner or later, with infrastructure development and economic integration, viewed as integral parts of national policy, in a territory of great strategic value. In response, the Union Government constituted a High-Level Consultative Committee comprising senior administrators, representatives of the Ladhara Hill Council, tribal organizations and technical experts to facilitate continued dialogue. Although multiple rounds of consultation followed over the next several months, no consensus could be reached regarding either the sequencing of constitutional safeguards or the implementation timeline of LIDIP.

14. Even after several rounds of consultation between the Union Government and stakeholders from the Ladhara, there was no agreement on how LIDIP was to be implemented or the proposed constitutional protection of it. Public discussion around the region began to shift from questions of administrative reform to issues of constitutional accountability, participatory governance, conservation of indigenous identity, and the tension between developmental priorities and the constitutional aspirations of the people of Ladhara as the developmental projects gradually took off under the new Policy. The debate gradually transcended questions of developmental policy. It evolved into a larger constitutional discourse concerning federalism, participatory governance, constitutional trust, environmental sustainability, democratic accountability and the extent of executive power in governing strategically significant Union Territories.



15. Amidst these competing narratives, constitutional scholars, former civil servants and policy experts expressed divergent views on the legality and desirability of the Union Government's approach. While one school of thought defended LIDIP as a constitutionally permissible policy decision balancing development with national security, another argued that implementing such a transformative policy without first establishing the promised institutional safeguards undermined constitutional morality, legitimate expectation, and participatory governance. Consequently, the constitutional debate surrounding Ladhara became one of the most closely followed public law controversies in the Republic.

[III]

16. One of the leading public personalities of Ladhara was Mr. Stanzin Namgyal, an engineer, educationist and environmental innovator, whose contribution in sustainable mountain development and Climate Responsive Technologies was widely recognized both nationally and internationally. Mr. Namgyal was known for his long years of efforts to enhance educational facilities and encourage people to adopt environment-friendly measures in the Himalayan region. He was respected by all, regardless of ideology or political convictions. After the reorganization of Ladhara in 2019, he spoke publicly of his optimistic hope that the constitutional restructuring would be a chance to make democratic institutions more robust while leaving the unique ecological and cultural heritage of the region intact.

17. Prior to the events giving rise to the present proceedings, Mr. Namgyal had served on various governmental advisory committees concerning sustainable mountain development and climate resilience. He had received several national awards for innovation in environmental conservation and had frequently collaborated with governmental agencies, universities, and international organizations on ecological preservation projects. Although he occasionally criticized government policies, he was never previously associated with any criminal proceedings, acts of violence, or political office.

18. However, over the years, Mr Namgyal began to be concerned about the lack of constitutional and institutional protection of what had been announced in the reorganization. He wondered whether such transformative steps should come before establishing proper institutional channels to protect the rights of indigenous communities, in the context of the Ladhara Integrated Development and Investment Policy (LIDIP),



which outlines developmental goals. He consistently called for a shift in the ideas of development, environment, and democracy to be co-evolving rather than conflictual in public lectures, policy discussions, academic forums, and community consultations. While Mr. Namgyal consistently maintained that constitutional dialogue was preferable to confrontation, he also publicly stated that developmental measures affecting indigenous communities should not proceed until appropriate constitutional safeguards were established, a position which increasingly attracted both public support and political criticism.

19. After multiple rounds of dialogue between Union Government officials and local stakeholders that failed to yield any results, Mr. Namgyal announced the commencement of the Ladhara People's Movement in April 2025, which is a peaceful constitutional movement to ensure that meaningful dialogue is established between the Union Government and the Ladhara people. The Movement wanted, among other things, the constitution to include safeguards for indigenous people, greater involvement of local representative institutions in governance, reconsideration of the implementation of LIDIP until new institutional protection was in place, preservation of the fragile Himalayan ecosystem, and more democratic autonomy, such as statehood. The organizers publicly adopted a written Code of Constitutional Conduct requiring every participant to abstain from violence, destruction of public property, hate speech, communal slogans or obstruction of essential public services. Volunteers were designated to assist local authorities in maintaining discipline during public gatherings and repeatedly appealed to participants to cooperate with law enforcement agencies.

20. The Movement soon spread across the length and breadth of Ladhara. Students, teachers, environmental groups, religious institutions, retired public servants, youth groups, and various tribal groups showed their support through peaceful protest, signature campaigns, public discussions, and community events. Although the overwhelming majority of demonstrations remained peaceful, intelligence agencies subsequently reported that certain unidentified persons had begun using the gatherings to mobilize crowds capable of disrupting public order. The organizers consistently denied any knowledge of or association with such individuals and maintained that no verified evidence had linked the Movement's official leadership with any unlawful activities.



21. The Union Government, aware of the increasing public interest in the Movement, launched several rounds of discussions with members of the Ladhara Hill Council, some civil society groups, and even with Mr. Namgyal. The Union Government also constituted an informal Inter-Ministerial Coordination Group to examine the concerns raised by various stakeholders and explore possible administrative solutions pending consideration of larger constitutional reforms in the long-term development of Ladhara. However, no consensus emerged regarding the sequencing of developmental measures and the implementation of constitutional safeguards.
22. Having seen a complete deadlock, the leaders of the Movement declared a peaceful march from Ladhara to the National Capital of Indraprastha, which is a symbolic constitutional appeal to the Parliament and people of Suryavarta. The organizers publicly agreed to organize the march peacefully and in an orderly fashion, asking the marchers not to engage in any action that could disrupt public order. Environmental organizations, student groups and constitutional rights activists from around the country showed up for the proposed march. The organizers also informed the district administration that trained volunteers would accompany the march to assist the police in maintaining discipline and preventing any disruption of public property or essential services.
23. The Union Government, based on credible intelligence assessments received from the Intelligence Bureau, the Border Security Directorate and local law-enforcement agencies, indicated a likelihood of attempts by unidentified groups to exploit the proposed march for disrupting public order and adversely affecting security in the strategically sensitive frontier region. The organizers said they were ready to assist enforcement agencies. Still, they pointed out that the ban was an unreasonable restriction on their right to peaceful assembly and declared the march would be peaceful. While the Government declined to disclose the precise contents of the intelligence assessments on grounds of national security, it maintained that competent authorities had independently evaluated the information before preventive measures were imposed.
24. On the scheduled day, thousands of participants assembled across multiple designated locations. Eyewitness accounts, media reports and official records uniformly indicate that the demonstrations commenced peacefully with speeches, silent marches, cultural programs and environmental awareness campaigns. As the gatherings progressed, isolated



incidents of stone pelting, damage to certain government vehicles and attempts to breach police barricades were reported at a few locations. One public administrative building sustained fire damage, and several police personnel received injuries while attempting to control sections of the crowd. The organizers denied any involvement in such incidents and alleged that unidentified persons had infiltrated the gatherings to discredit an otherwise peaceful constitutional movement. Subsequent video recordings, media reports, and independent accounts presented conflicting narratives regarding the sequence of events leading to the violence. While certain materials appeared to suggest unprovoked police action against peaceful demonstrators, other recordings indicated instances of crowd aggression preceding the use of force. No authoritative factual determination regarding the precise sequence of events had been made before the institution of the present proceedings.

25. Following the escalation of violence, the District Magistrate imposed prohibitory orders in identified areas and authorized appropriate crowd-control measures. According to official records, repeated public announcements directing dispersal of the assembly were made through public address systems before security personnel employed water cannons, tear gas, and, subsequently, limited baton charges to restore order. The authorities maintained that the force employed strictly adhered to the applicable Standard Operating Procedures governing crowd control. The organizers and several civil society organizations, however, alleged that the force used was disproportionate and resulted in avoidable injuries to numerous peaceful demonstrators who had neither participated in nor supported the violent incidents. Several independent fact-finding reports subsequently presented differing conclusions regarding the necessity and proportionality of the police response.
26. Following the incidents, the Union Government announced the constitution of a High-Level Fact-Finding Committee to examine the circumstances leading to the violence and the law-enforcement response. Simultaneously, several civil society organizations demanded an independent judicial inquiry, alleging that any inquiry conducted under executive supervision would fail to command public confidence. At the time of institution of the present proceedings, neither inquiry had concluded.
27. Not long after, the Union Government, based on information received and other useful information at its disposal, initiated preventive detention proceedings against Mr. Stanzin



Namgyal in accordance with the provisions of the National Security Act, 1980, on charges of endangering public order, national security and integrity of the Republic of India. The detention order said Mr. Namgyal had regularly been preaching peaceful protest in public. Still, he had so much power over the protesters and the security situation meant that a move should be made “without delay” to prevent further disturbances. The authorities also stated that some ‘confidential intelligence inputs’ could not be disclosed ‘for the sake of national security’.

28. The detention order referred to confidential intelligence assessments, intercepted communications and other sensitive materials indicating that Mr. Namgyal's continued liberty posed a substantial risk to public order in the prevailing circumstances. Copies of certain documents were supplied to the detainee. At the same time, disclosure of other materials was declined on grounds that such disclosure would compromise national security and reveal confidential sources of information.
29. The arrest of Mr. Namgyal brought about a lot of discussion in the Suryavarta community. The Union Government said in its justification of the move that it was an "exceptional measure" that was required in the wake of the current security threat in the strategically important border region. Still, there was a lot of criticism from civil society groups, environmental groups, constitutional experts and public representatives about the detention as an attempt to extinguish peaceful constitutional dissent. Mr. Namgyal's supporters have said he had championed non-violence and democratic participation all along and that no document had been released to the public that had any connection to the acts of violence. Conversely, several retired civil servants, former security officials and constitutional commentators publicly defended the detention as an extraordinary preventive measure justified by the prevailing security environment in a strategically sensitive border territory, emphasizing that preventive detention is intended to avert future threats rather than punish past conduct.
30. Displeased with the implementation of LIDIP, the alleged suppression of the Ladhara People's Movement and the preventive detention of Mr. Stanzin Namgyal, the Ladhara Hill Council, Mr. Namgyal through his family members, tribal organizations, environmental associations and youth groups filed a Writ Petition in Article 32 of the Constitution before the Supreme Court of Suryavarta. The Petition, inter alia, questioned

the constitutional validity of the detention order, the lawfulness of curbing the demonstrations and the alleged failure to fulfill constitutionally significant assurances regarding institutional safeguards, the implementation of LIDIP, the restrictions imposed upon the Ladhara People's Movement, and the preventive detention of Mr. Namgyal and directions to protect the constitutional, cultural and ecological rights of Ladharans. The Supreme Court admitted the matter, and it was left pending before it for consideration.

31. During the pendency of the proceedings, numerous public interest organisations, former constitutional functionaries, retired members of the armed forces, environmental experts, digital rights advocates and representatives of trade and industry sought permission to intervene before the Supreme Court, contending that the outcome of the litigation would have far-reaching implications for constitutional governance, national security, indigenous rights and the permissible limits of executive power in the Republic. The Court directed that applications for intervention would be considered at the stage of final hearing.

[III]

32. The preventive detention of Mr. Stanzin Namgyal got much attention in the country, and there was a lot of public discussion on the constitutional problems in developments in Ladhara. As the Movement's activities continued to be curtailed by security measures, discussions about the Movement began to migrate onto digital platforms within the region. Several journalists, academics, environmental groups and civil society groups started to spread information, comment and independent reports about what had happened in Ladhara.

33. As restrictions on physical assemblies continued in certain parts of Ladhara, digital platforms increasingly became the principal means through which competing narratives concerning the events in the region were disseminated. Journalists, academics, residents, political commentators, environmental organizations and independent researchers actively shared reports, eyewitness accounts, photographs, videos and legal analyses relating to the constitutional developments in Ladhara. The digital sphere consequently emerged as the primary arena for public debate concerning governance, national security and constitutional accountability.

34. One of the most significant online platforms that have appeared during this time is the



Locust Janata Party (LJP). This online decentralized group publishes political satire, investigative articles, short documentary videos, and public awareness campaigns on topics of governance and constitutional accountability. The collective was not officially aligned with any political party, but often attacked the administration's policies using satire, visual media, and citizen journalism. The collective deliberately functioned without any formal organizational hierarchy or publicly identifiable editorial board. While its supporters described this structure as necessary to preserve editorial independence and protect contributors from retaliation, the Union Government expressed concern that the absence of identifiable accountability mechanisms enabled anonymous dissemination of potentially harmful content. After arresting Mr. Namgyal, LJP started a campaign to share the voices of local people, environmentalists, and those involved in the Ladhara People's Movement online.

35. The campaign made a significant impact in the news in Suryavarta in a short period of time. Several posts raised doubts about the constitutionality of the preventive detention, decried the functioning of the LIDIP, and claimed that the police were unduly rough with the demonstrators. The campaign comprised a wide variety of digital material, including political satire, investigative articles, interviews with residents, opinion pieces, independent video recordings, drone footage, environmental assessments, animated infographics, user-generated content and anonymous submissions received through encrypted digital channels. Several posts questioned the constitutional validity of preventive detention, criticized the implementation of LIDIP, and alleged excessive use of force by law-enforcement authorities. Some digital content purported to depict injuries sustained by demonstrators, while other materials questioned the legality of internet restrictions imposed in the region.

36. At the same time, independent fact-checking organizations publicly disputed the authenticity of certain visual materials circulating online. While some reports concluded that several videos had been digitally edited, selectively cropped or presented without contextual information, other organizations maintained that a substantial portion of the circulated material accurately reflected events on the ground. Neither side accepted the conclusions reached by the other.

37. The Union Government, however, showed grave concern about the nature and impact of



the digital campaign. The Ministry of Internal Affairs confirmed that several posts spread false information, edited visual information inaccurately, and made allegations that were not verified, and had the potential to worsen public tension and negatively impact public order in a sensitive border area. The Government also said that there had been concerted efforts by "unknown domestic and foreign digital actors operating through anonymous online accounts" to spread misinformation about the events in Ladhara. The Government further asserted that intelligence agencies had detected coordinated online activity involving numerous anonymous accounts simultaneously amplifying misleading information regarding security operations in Ladhara. However, no official determination identifying the persons responsible had been made at that stage.

38. In light of these developments, the Central Government, acting under the Information Technology Act, 2000 read with the applicable Information Technology Rules, directed several intermediaries to disable access to specified digital content relating to the Ladhara People's Movement and temporarily blocked the official digital platforms operated by LJP. The Government maintained that immediate preventive action was necessary to avert escalation of public disorder and that prior notice would have frustrated the very purpose of the blocking directions. Criminal proceedings were also initiated against certain administrators and contributors allegedly responsible for publishing content prejudicial to public order, national security and the sovereignty and integrity of the Republic.
39. The blocking directions themselves were treated as confidential documents, and only limited portions of the reasons underlying the decision were disclosed to the affected intermediaries. The Union Government asserted that fuller disclosure would compromise sensitive intelligence inputs and ongoing investigations. LJP, on the other hand, maintained that denial of access to the complete reasons effectively deprived it of any meaningful opportunity to challenge the blocking directions.
40. LJP denied all allegations, claiming that its publications mostly included political satire, journalistic commentary and constitutionally protected criticism of governmental action. LJP further contended that it had voluntarily removed certain posts after receiving complaints regarding their authenticity and had repeatedly invited the authorities to specifically identify allegedly unlawful content rather than blocking the platform as a whole. It argued that there had been insufficient notice, opportunity for a meaningful



hearing, and disclosure of the materials upon which the authorities had relied in issuing the blocking orders. The group also claimed the Government had taken a "selective" approach to digital censorship on the issue of Ladhara, thereby allowing alternative pro-government accounts to be published on public platforms.

41. Five months after the blocking of LJP's digital platforms, there was a lot of discussion among constitutional experts, the press, digital rights organizations and civil society groups about the extent to which the government can regulate digital platforms, what constitutes permissible limits on political expression on digital platforms, and the constitutional relationship between national security and freedom of speech in the digital era. Some organizations publicly endorsed the Government's actions in combating misinformation that can be used to disrupt public order; some organizations stated that the steps taken had an impermissible chilling effect on legitimate democratic dissent and investigative journalism. Several national newspapers, constitutional law scholars and digital governance experts expressed divergent opinions regarding the legality of the Government's actions. While one school of thought regarded the impugned measures as proportionate responses to an evolving national security concern, another viewed them as establishing a dangerous precedent capable of chilling investigative journalism and democratic criticism in the digital age.

42. In protest of the blocking orders and the criminal proceedings initiated against its members, LJP had filed a Writ Petition before the Supreme Court of India challenging the constitutional validity of the impugned blocking directions, the legality of the proceedings initiated under the Information Technology Act and the violation of its fundamental rights under Articles 19 and 21 of the Constitution. LJP additionally sought judicial guidelines regulating future exercise of executive blocking powers, particularly where restrictions affected political speech, investigative journalism and digital platforms disseminating matters of significant public interest. LJP also requested that its online platforms be restored and appropriate measures be put in place to ensure the future exercise of blocking powers by the executive.

43. The Supreme Court directed both the writ petitions to be heard together, considering the challenge raised by LJP came from the same line of events that led to the preventive detention of Mr. Stanzin Namgyal and the enactment of the Ladhara Integrated



Development and Investment Policy. The Court observed that the proceedings raised substantial constitutional questions concerning executive accountability, preventive detention, participatory governance, proportionality of restrictions upon civil liberties, constitutional protection of indigenous communities, regulation of digital platforms, intermediary liability, procedural safeguards governing blocking directions and the constitutional balance between national security and democratic dissent.

44. Having regard to the far-reaching constitutional questions raised in the connected petitions, conflicting submissions advanced by the parties and the potential implications of the controversy for the future relationship between national security, constitutional governance and civil liberties, the Chief Justice of Suryavarta constituted a Constitution Bench to adjudicate the matters finally. During the pendency of the proceedings, numerous expert committee reports, media investigations, digital forensic analyses and confidential governmental communications entered the public domain. The Petitioners relied upon certain of these materials in support of their case. In contrast, the Union Government disputed their authenticity and asserted privilege over several classified records on grounds of national security. Observing that several disputed questions of constitutional significance required authoritative determination, the Constitution Bench directed that all issues of fact and law arising from the connected petitions would be considered comprehensively during final hearing.

45. During the pendency of the proceedings, multiple applications for intervention were filed before the Supreme Court by associations representing retired members of the Armed Forces, digital rights organizations, Editors' Guilds, environmental coalitions, tribal representative bodies, chambers of commerce and constitutional law scholars. While each applicant claimed that the outcome of the proceedings would substantially affect its respective interests, the Constitution Bench deferred consideration of all intervention applications until commencement of final hearing, observing that the principal constitutional questions first required adjudication between the original parties.

46. Shortly before commencement of final hearing, an unsigned internal governmental note was anonymously circulated in the public domain. The note appeared to suggest that certain constitutional safeguards recommended by expert committees had consciously been deferred to facilitate early implementation of LIDIP. The Petitioners relied upon the



document as evidence of deliberate executive inaction. In contrast, the Union Government denied its authenticity, contending that it constituted an incomplete draft prepared during inter-departmental deliberations and never formed part of official governmental policy. No judicial finding regarding the authenticity or evidentiary value of the document had been rendered before the present proceedings.

ISSUES

- I.** Whether the preventive detention of Mr. Stanzin Namgyal under the National Security Act, 1980 satisfies the constitutional safeguards contained in Articles 21 and 22 of the Constitution?
- II.** Whether the restrictions imposed upon the Ladhara People's Movement, including prohibitory orders, restrictions on public assemblies and the use of force for crowd control, constitute reasonable restrictions upon the freedoms guaranteed under Articles 19 and 21 of the Constitution?
- III.** Whether the blocking directions issued under the Information Technology Act, 2000 and the consequential criminal proceedings initiated against the administrators of the LJP are constitutionally and procedurally valid?
- IV.** Whether the repeated public assurances and representations made by the Union Government and the implementation of LIDIP for the people of Ladhara create enforceable constitutional obligations capable of judicial review?

NOTE:

All the facts, characters, events, and places mentioned in this moot proposition are entirely fictional and created solely for academic purposes. Any resemblance to actual persons, institutions, or incidents is purely coincidental. The statutes, constitutional provisions, and legal principles referred to herein are pari materia to the laws of India, and the problem is intended to facilitate legal research, analysis, and argumentation within that comparative framework.

ANNEXURE 1: Press Release on Kashvara Reorganization Act, 2019



सत्यमेव जयते

THE GOVERNMENT OF SURYAVARTA THE MINISTRY OF INTERNAL AFFAIRS

Press Release on the Constitutional Reorganisation of the Union Territory of Ladhara

Posted On: 5 August 2019 7:59PM by PIB Indraprastha

The Union Government, through the enactment of the Kashvara Reorganisation Act, 2019, has undertaken the constitutional reorganisation of the erstwhile State of Kashvara with the objective of strengthening governance, promoting balanced socio-economic development and ensuring effective administration in the newly constituted Union Territory of Ladhara.

Recognising the unique demographic composition, ecological sensitivity and strategic importance of Ladhara, the Government reiterates its commitment to preserving the region's cultural heritage while promoting inclusive and sustainable development.

The Union Government has resolved to undertake consultations with elected representatives, local institutions and expert bodies to examine measures concerning:

1. **Constitutional Safeguards:** The feasibility of extending appropriate constitutional safeguards for the protection of the cultural identity, customary practices and demographic composition of the indigenous communities residing within Ladhara.
2. **Democratic Participation:** The creation of institutional mechanisms capable of ensuring greater participation of local representative bodies in matters concerning governance, development planning and public administration
3. **Public Employment:** The establishment of appropriate recruitment mechanisms, including the feasibility of constituting an independent Public Service Commission for the Union Territory, so as to strengthen local participation in public services while maintaining administrative efficiency.
4. **Land and Environmental Protection:** The examination of legal measures necessary to preserve ecologically sensitive regions, protect traditional community land practices and ensure environmentally sustainable developmental planning.
5. **Political and Administrative Autonomy:** The possibility of conferring greater political and administrative autonomy upon the Union Territory, including consideration of statehood, subject to — administrative preparedness, recommendations of the competent expert bodies, prevailing national security considerations, financial viability & wider constitutional and legislative consultation.

Pending completion of such consultations, the Government shall continue to pursue developmental initiatives considered necessary in the interest of public welfare, border administration and national security.

The Union Government remains committed to engaging with all stakeholders and shall continue consultations before taking any decision on the matters identified above.

(Release ID: 2283841) Visitor Counter : 828

**ANNEXURE 2: The Relevant Clauses of Ladhara Integrated Development
& Investment Policy, 2025**



सत्यमेव जयते

THE GOVERNMENT OF SURYAVARTA
GAZETTE NOTIFICATION

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Part II- Section 3 - Subsection(ii)

INDRAPRASTHA, TUESDAY, 18TH MARCH, 2025

Notification No.: MDFA/LIDIP/2025/118

THE MINISTRY OF DEVELOPMENT & FRONTIER AFFAIRS

**THE LADHARA INTEGRATED
DEVELOPMENT AND
INVESTMENT POLICY, 2025**

RELEVANT CLAUSES (LIDIP, 2025)

Clause 5

Projects involving renewable energy, strategic infrastructure, eco-tourism, transport, digital connectivity and higher education may be notified as Priority Development Projects & shall receive expedited administrative approvals in accordance with this policy.

Clause 9

Government land may be leased for Priority Development Projects for periods not exceeding ninety-nine years, subject to approval of the Central Development Authority. Such approval shall be granted after considering—strategic importance, economic viability, environmental impact, public interest.

Clause 10

Private land shall not be acquired except in accordance with applicable law.

Where acquisition affects traditional community practices, the Competent Authority may, wherever considered appropriate, consult recognised local representative institutions.

Clause 14

A Central Environmental Facilitation Board (CEFB) shall be constituted for expeditious processing of environmental approvals relating to Priority Development Projects.

Clause 18

Prior to granting approval for a Priority Development Project, the Central Development Authority may, wherever considered practicable, seek comments from recognised local representative institutions.

Clause 20

Recruitment to notified Government establishments shall, until constitution of an alternative statutory mechanism, be conducted through the Central Recruitment Authority. The Central Recruitment Authority shall endeavour to encourage adequate local participation while ensuring equal opportunity and administrative excellence.

Clause 24

Nothing contained herein shall be interpreted as limiting powers of the Union Government in matters concerning national security, strategic infrastructure or border administration.

Clause 28

The Central Government may issue such executive directions as may be necessary for effective implementation of this Policy. The Policy shall remain subject to periodic review by the Central Government.

ANNEXURE 3: A Post by The Locust Janta Party on its Social Media Platform



@locust_janta_party

1/4

"Sir, what happened to the promises?"

"Still under consideration."

2/4

"What about the safeguards?"

"Under consideration."

3/4

"The Public Service Commission?"

"Under consideration."

4/4

"The Constitution?"

"Please collect your token and continue waiting."



@locust_janta_party

Breaking News:

Development travels by express train. Constitutional promises travel by government file. The people of Ladhara were promised participation. They received presentations. They were promised safeguards. They received assurances. They asked for dialogue. They received detention. They asked questions. They received internet restrictions. Maybe democracy is also "under consideration."

@MountainVoice This perfectly explains how we feel. Peaceful protests must continue."

@BorderFirst This page is provoking people against the Government in a sensitive border region."

@TruthWatch If even cartoons are blocked, what remains of free speech?"

@SecureNation "Freedom of speech doesn't include spreading distrust during a security crisis."