



# Government Law College MOOT COURT ASSOCIATION

'A' Road, Churchgate, Mumbai 400020

Tel: +91-22-2204 1707

E-mail: mcaglc@gmail.com / mca@glcmumbai.com

Website: www.mcaglc.org



## 30<sup>TH</sup> M. C. CHAGLA MEMORIAL GOVERNMENT LAW COLLEGE NATIONAL MOOT COURT COMPETITION, 2023

### MOOT PROPOSITION

#### IN THE SUPREME COURT OF AMPRO

**The Ampro People's Association**

**...Petitioner**

*versus*

**Union of Ampro**

**...Respondent**

1. Ampro is a democratic nation and is the most populous country in the world. In the past two decades, Ampro has seen rapid economic growth and is currently the world's fourth largest economy.
2. Ampro has undergone massive digitalization in the past few years, especially after the Ampro Rashtra Dal ("ARD"), a political party, won the national elections in the year 2015. It is widely believed that it was on account of its efficient and creative ways of using social media websites

/ applications, that ARD managed to get an edge over its rival parties and was able to convey its promises to the electorate and win the elections by a handsome margin.

3. On coming to power, the Central Government ruled by ARD launched a “*Digital Ampro*” campaign. To this end, the government invested heavily in infrastructure development to ensure that internet reaches the remotest location of the country. Further, to ensure that even the poorest sections of people in Ampro are connected with internet, the government brought several changes in the telecom regulations and policy implementation.
4. The digital revolution in Ampro resulted in availability of cheap data and mobile phones. As such, within just 4 years of ARD coming to power, the digital milieu of Ampro transformed in unimaginable ways.
5. The digital revolution was accompanied with more and more people across the country signing up on various social media websites / apps and participating in everyday discussions, be it about politics, music, science or judiciary.
6. Manchow is an illiberal democracy with a one party system. It is the 2<sup>nd</sup> largest economy in the world and is leaps and bounds ahead of Ampro both in its defense capabilities and military size.
7. Manchow shares its southern borders with Fitbit, which is a state in Ampro. While the two countries share dynamic economic relations, border tensions have always kept the diplomatic relations between the two unstable. Manchow has laid claims to around 40% of the northern areas of Fitbit. Such claims date back to over 100 years, when both Ampro and Manchow were colonies of the Sahibs. Fitbit is currently governed by the Fitbit Alliance which is a coalition of 5 parties, led by ARD.
8. Fitbit became a part of Ampro on the basis of an instrument of accession signed about 90 years ago by the ruler of Fitbit. However, even today the Fitbit populace does not see itself as an

integral part of Ampro. The political and social environment in Fitbit has thus remained volatile. Ampro has always believed and have in the past gathered tangible proof that Manchow

regularly supplies weapons and drugs to the populace in Fitbit which has only contributed to the disturbance in the border state.

9. Criss-Cross is a social media app started by OG Ltd. (“**OGL**”). OGL is a public company incorporated in Manchow. Within just a year of its launch in 2017, Criss-Cross became the most famous social media app across the world. Criss-Cross offered diverse features on its platform including posting short videos, photographs and opinions.
10. Criss-Cross was launched in Ampro in 2019 and also has a head office in the capital city of Amprocap. By the year 2020, it had over 400 million subscribers in Ampro. From the remotest village in the north in Fitbit to the south most tip of Ampro, people of all religions, languages, caste, economic strata have an account on the Criss-Cross app. As a result, Criss-Cross became the most effective tool for spread of news, to express views and opinions and for government and politicians to communicate with the masses.
11. The Criss-Cross app allowed people to make short videos called “*Tokreel*”. Tokreels became one of the most famous features of the Criss-Cross app. Several Tokreels of various influencers on the app would become viral in no time and spread like wildfire across other social media apps as well.
12. As more and more people signed up on the app, Criss-Cross became one of the most important app for advertising brands which were endorsed by not just movie celebrities but also “*Criss-Crossers*”, a term given to those who had more than 500,000 followers on the app. The Criss-Crossers started earning money not just from OGL but also for each post or Tokreel that they published on the Criss-Cross app.
13. The Criss-Cross app thus became a source of livelihood for several lakhs of Criss-Crossers across Ampro who branded themselves as content creators. Gradually, people started sharing and publishing not just funny videos but also discussions on various government policies. In

fact, on several occasions the central government called upon Criss-Cross to take down various Tokreels which criticized government policies on the ground of being ‘objectionable’.

14. In and around May 2023, several places in Fitbit reported instances of disturbances and violent clashes between the Fitbit populace and the police which had erupted in in light of the recent state government policy to grant reservation in jobs to the minority religious community in Fitbit. Initially the intermittent incidents of violence were not covered in media. No action was taken either by the police or the local population to maintain peace.
15. On 25<sup>th</sup> June, 2023, Mr. Gautam (a Criss-Crosser from Fitbit with over 10 million followers) posted a Tokreel showing hundreds of people lynching a group of four workers. Mr. Gautam claimed that the members of minority community are being lynched in Fitbit with impunity. Instantly, Gautam’s Tokreel went viral on the Criss-Cross app and was later picked up and reported by various national and local media outlets.
16. However, in less than 48 hours, one Mr. Gulati (another Criss-Crosser with over 2 million followers) and who had established himself as the most trustworthy online news fact-checker, published a Tokreel stating that the content circulated by Gautam was false and the alleged video published on his Tokreel was in fact 2 years old from the neighboring border country of Nano. However, by then, the clashes between the two religious communities in Fitbit had taken an extremely violent turn. The northern part of Fitbit was particularly unstable. Houses were burnt, women were raped and people were killed. Protestors from each community would gather in several areas shouting slogans which eventually lead to violent clashes. Though various videos emerged of the local police brutally beating up the locals, the police was largely unable to control the violent mobs. The law and order situation was precarious. Even the central forces which were sent in huge numbers were unable to control the clashes.
17. Taking advantage of the extremely volatile situation in Fitbit, Manchow launched an offensive and overnight moved in its army and captured several hundreds of kilometers of the Fitbit territory. These clashes resulted in about 10 Ampro soldiers losing their lives.

18. Both the central government and the Fitbit state government, more particularly the leaders of the ARD were severely criticized for their “*divisive*” policy which fueled such a situation and its abject failure to control the law and order situation. ARD was blamed for the massive defense failure and having lost Ampro’s territory to Manchow. Criss-Cross app was filled with Tokreels with news from Fitbit.
19. To curb the widespread criticism and to control the law and order situation, the central government decided to ban the Criss-Cross app across Ampro. During a press conference held on 5<sup>th</sup> July, 2023 where the Union Ministers of Defence, Home and I.T. were present, the following statement was read out:

*“The government has received positive intel from its intelligence sources that the crisis in Fitbit is being fueled by Manchow. Manchow has been instrumental in spreading fake news by publishing various paid Tokreels and activating bots on the app which has resulted in widespread violence across Fitbit. It has also been confirmed that personal data of users from the Criss-Cross app is being used illegally. OGL was stealing and surreptitiously transmitting user data in an unauthorized manner. The compilation of these data, its mining and profiling by elements hostile to nations security and defence of Ampro, impinges upon the sovereignty and integrity of Ampro and is a matter of very deep and immediate concern which requires emergency measures.”*

20. Moreover, the state government of Fitbit passed an order dated 5<sup>th</sup> July, 2023 stating as follows:

*“Whereas a large number of individuals with large followings on social media have been observed to be directly involved in generating and / or sharing information in connection with the ongoing situation in the state of Fitbit;*

*Whereas several instances have been found where such information have been found to be fake news, rumours or misinformation;*

*Whereas generation of such information has the effect of misleading people, misguiding public opinion, instigating violence against the State, with or without arms which may potentially lead to loss of human lives and destruction and damage to properties.*

*Whereas generation or spread of such incorrect information will therefore amount to sedition.*

*Whereas any such person who is suspected of generating and spreading false information may be arrested and kept in preventive detention for a period of 30 days, which may be extended under the provisions of the National Security Act, 1980.*

*Whereas in the interest of maintaining public safety and averting public emergency, it is necessary and expedient to order, the temporary suspension of internet services in the state of Fitbit for a period of 15 days”*

21. That thereafter, internet ban has been extended in the state of Fitbit time and again. Each time, the state government passes the same order to extend the ban. The state government also emphasized that the internet ban is imperative to ensure that the situation in Fitbit remains in control. This has resulted in complete economic shut down and loss of livelihood within the state.
22. The Ampro People’s Association (“**APA**”) is a welfare group working towards promotion and guarantee of civil liberties for the people of Ampro. APA has filed a petition in the Supreme Court of Ampro challenging order dated 5<sup>th</sup> July, 2023 (and continuation orders) passed by the State Government as being arbitrary and illegal.
23. APA has also challenged the nationwide ban of the Criss-Cross app as being violative of Article 19(1)(a), 19(1)(g), Article 14 and Article 21 of the Constitution of Ampro.

**NOTE**

1. The Constitution of Ampro is *pari materia* to the Constitution of India.
2. The Moot Proposition is purely a work of fiction and created solely for the purpose of the Moot Court Competition. The characters, institutions, organizations and events depicted in this Moot Proposition are purely fictional. Any similarity or resemblance to actual persons or actual events is purely coincidental and unintentional. The Moot Proposition does not intend to defame/denigrate/hurt the sentiments of any person(s), institution, communities, groups or class of persons.