



# Moot Proposition

**8<sup>TH</sup> EDITION  
ANNUAL CAPACITY BUILDING  
MOOT COURT COMPETITION, 2025**

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**NOVEMBER 2025**



**MOOT COURT COMMITTEE OF NLU ASSAM**



## STATEMENT OF AGREED FACTS

1. The Republic of Hogwartsia is a post-colonial constitutional democracy located on the continent of Eldia. Having emerged from decades of colonial domination by superpowers —the Federated Kingdom of Konoha and the Maritime Republic of Themyscira, Hogwartsia adopted its Constitution in 1950 with the goal of building a sovereign democratic republic founded on justice, liberty, equality, and fraternity. The Constitution establishes a parliamentary form of government, with the President as the ceremonial head of state and the Prime Minister as the head of government.
2. The Constitution of the Republic of Hogwartsia is the supreme law of the land, and no law or executive act can be sustained if found *ultra vires* to its provisions. The principle of constitutional supremacy has been affirmed by the Supreme Court, the Grand Wizengamot of Hogwartsia, in a series of landmark decisions. The Constitution envisions the Republic as a Sovereign, Secular, and Democratic State, committed to transparency, equality, and the rule of law. Free and fair elections form the cornerstone of this democratic structure, and the Election Commission of Hogwartsia (ECH) is vested with the responsibility of conducting them in a manner that ensures integrity and public confidence in the electoral process.
3. Hogwartsia's legislature is bicameral, comprising two Houses: the National Assembly, with 305 seats, being the directly elected *lower chamber representing the people*, and the Council of States, being the *upper chamber representing the constituent provinces*, whose members are indirectly elected through the Provincial Legislative Councils. The National Assembly exercises primary control over financial legislation and the confidence of the executive, while the Council of States serves as a reviewing chamber, ensuring federal balance. Both Houses together form the Parliament, vested with the power to enact laws in accordance with the Constitution of the Republic of Hogwartsia, subject to the limits of constitutional supremacy and judicial review as recognised by the Supreme Court, also known as the Grand Wizengamot of Hogwartsia.
4. Hogwartsia is often hailed as the largest democracy on the continent of Eldora, with over 800 million registered voters spread across a vast and heterogeneous landscape marked by ethnic pluralism, linguistic diversity, and deep socio-economic contrasts. Electoral politics in the country is vibrant yet frequently contentious, with recurring allegations of money power, muscle power, and digital manipulation.
5. The Electoral Commission of Hogwartsia (ECH), established under Article 324, is an independent constitutional body tasked with the superintendence, direction, and control of elections. While the Constitution does not expressly list the right to vote as a fundamental right, the Supreme Court of

Hogwartsia has consistently recognised free and fair elections as an integral component of the basic structure doctrine, immune from constitutional amendment.

6. Historically, elections in Hogwartsia were conducted using traditional paper ballots, a process that often resulted in large-scale logistical challenges, delayed tabulation of results, and frequent disputes over invalid or tampered ballots. The menace of booth capturing, particularly during the 1970s and 1980s, posed a grave threat to the integrity of the electoral process, instances where armed groups or political agents would seize polling stations and cast votes en masse in favour of one candidate were widely reported. These systemic malpractices, coupled with the high cost and inefficiency of paper-based elections, led the ECH to explore technological solutions aimed at ensuring speed, security, and integrity in vote recording and counting.
7. In 1982, the country undertook limited trials of Electronic Voting Machines (EVMs) to address these challenges. EVMs were gradually adopted nationwide, revolutionising the conduct of elections by significantly reducing both human error and counting time. Yet, concerns persisted over the opacity of the electronic process and the absence of a tangible audit trail. In response, and on the order of the Supreme Court, the ECH later integrated Voter Verified Paper Audit Trails (VVPATs), a paper slip system allowing voters to verify their choice before electronic storage, thereby reinforcing the principles of transparency and verifiability.
8. Despite these technological advancements, Hogwartsia's electoral process continues to face periodic allegations of vote tampering, data manipulation, and misuse of state machinery, particularly with the growing dependence on digital infrastructure for both voting and counting. Each election cycle rekindles the debate between technological efficiency and electoral integrity, testing the resilience of the world's largest democracy in balancing innovation with public trust.
9. General elections to the National Assembly were held across Hogwartsia in May 2025. Among the key electoral arenas, the State of Minas Tirith emerged as one of the most fiercely contested battlegrounds. Comprising forty Assembly constituencies, Minas Tirith has long held the reputation of being the political barometer of the nation; a popular saying among Hogwartsian psephologists goes, "*Whoever wins Minas Tirith, wins Hogwartsia.*" The state's unique demographic composition, a densely populated mix of industrial townships, agrarian hinterlands, and longstanding refugee settlements, has made it a microcosm of Hogwartsia's wider political and social complexities. Historically, electoral contests in Minas Tirith have been marred by allegations of booth capturing, voter intimidation, and sporadic violence, leading to heightened security and nationwide scrutiny during every election cycle.

10. Before the elections, the stakes were particularly high. Opinion polls and political analysts predicted a wave of anti-incumbency against the ruling **Democracy's Army (DA)**, led by Prime Minister Aschel Synge. While the DA government had faced criticism over economic stagnation and rising inequality, it was also credited with significant achievements in infrastructure development, expansion of healthcare services, and social welfare initiatives that had benefited millions across Hogwartia. The principal challenger, Darian D'Arice, leader of the **Order of Progress (OP)**, though not formally educated, had garnered widespread popularity through his grassroots outreach and charismatic appeal, consolidating a broad coalition of regional and youth movements. Various opinion polls and reports predicted a decisive OP victory in the state, though the DA remained a formidable force due to its established governance experience and extensive organisational network.
11. The General Elections to the National Assembly of Hogwartsia were held in May 2025 for 305 seats. The contest was intense and closely fought between the ruling Democracy's Army (DA), led by Prime Minister Aschel Synge, and the opposition Order of Progress (OP), headed by Darian D'Arice. When the results were declared, the DA emerged as the single largest party.

| <i>Party</i>                             | <i>Result (out of 305)</i> |
|--|----------------------------|
| <i>Democracy's Army (DA)</i>             | <i>162</i>                 |
| <i>Order of Progress (OP)</i>            | <i>135</i>                 |
| <i>Pureblood Restoration Front (PRF)</i> | <i>4</i>                   |
| <i>Muggleborn Rights Union (MRU)</i>     | <i>4</i>                   |

12. The State of Minas Tirith, comprising 40 constituencies, once again proved decisive. The DA secured 36 seats, while the OP managed 4. In nearly ninety per cent of the constituencies, the margin of victory was less than two per cent, an unusually narrow gap that immediately drew the attention of observers and political commentators alike.
13. In June 2025, barely a month after the declaration of results to the National Assembly, opposition leader and his party, the Order of Progress (OP), launched a nationwide campaign alleging large-scale "Vote Chori" (vote theft) and collusion between Prime Minister Aschel Synge and the Chief Election Commissioner, Saket Ojha. The campaign claimed that the ruling Democracy's Army (DA) had manipulated the electoral process through a coordinated misuse of administrative machinery and digital interference in vote counting.



14. The OP's allegations centred on two primary issues. First, they pointed to an unprecedented decrease in the number of registered voters across the State of Minas Tirith, a decrease of nearly 91,000 names within six months before the election, defying demographic trends, asserting that these deletions were made without proper verification and consisted largely of members of communities alleged to be anti-DA voters. Such a move disproportionately benefited constituencies favouring the DA. Second, during the vote tabulation process, the Election Commission of Hogwartsia's (ECH) newly introduced "Votex 2.0" EVMs reportedly went offline in multiple states, including Minas Tirith, for over three hours, during vote counting. When the system was restored, the tally data in several constituencies had changed significantly, almost uniformly in favour of the ruling party.
15. The introduction of the "Votex 2.0" system was not an impulsive administrative decision. It followed nearly seven years of research and multiple pilot projects conducted under the supervision of a bipartisan Parliamentary Committee on Electoral Reforms. The Votex 2.0 project was developed under the National Technology Mission (NTM) in collaboration with Stark Industries' local subsidiary and WayneTech Research Labs. Independent audits by the National Institute of Technology and the Centre for Digital Governance had earlier found the system to be compliant with all encryption and tamper-proofing standards. Furthermore, representatives of all major political parties, including the Order of Progress (OP), had attended technical demonstrations organised by the ECH and raised no objections at the time.
16. Additionally, the ECH maintained that the voter list revision followed the standard "Periodic Electoral Roll Purification" protocol under Rule 21 of the Representation of the People's Act, removing duplicates and deceased entries verified through national ID databases. It further claimed that all deletions were subject to public notice and local verification, and that no objection had been raised at the time by the Order of Progress's state-level representatives.
17. The CEC and ECH, in their official communication, attributed the incident to a mere "data synchronisation delay", assuring that no votes were lost or altered. The Daily Prophet, a prominent English daily, printed on July 1st that the preliminary independent audits conducted by the National Institute of Cyber Forensics post-election found no statistical anomaly in the vote-share pattern sufficient to suggest tampering. However, it refused to release the raw vote logs or server records, citing "national cybersecurity concerns". The opposition maintained that over one lakh votes had been tampered with or deleted, describing it as a "digital coup against democracy." The controversy gained further traction as the State of Minas Tirith Assembly Elections, scheduled for January 2026, approached, turning the state once again into the epicentre of national political tension.

18. The ECH and the person behind the design of Votex 2.0, Dr. Hanji Zoen, also pointed out that the Votex 2.0 units were not network-connected during polling; each machine functioned as an independent hardware module, making any remote digital tampering technically impossible. The Commission argued that since counting occurred at decentralised centres under camera surveillance, any claim of central manipulation was scientifically implausible and politically motivated.
19. In the following weeks, allegations of large-scale “vote chori” (vote theft) snowballed into a national controversy, sparking spontaneous protests across major cities and university campuses. In Minas Tirith, the epicentre of the storm, where supporters of Mr. D’Aric poured into the streets demanding an independent audit of the “Votex 2.0” system and the resignation of Prime Minister Aschel Synge. Public opinion across Hogwartsia became sharply divided. While large sections of civil society and youth groups demanded an independent audit of the ‘Votex 2.0’ system, others cautioned against undermining the credibility of the Election Commission without proof. Several senior jurists and former Chief Election Commissioners urged restraint, emphasising that institutional faith must not be eroded by unverified claims.
20. Amidst the growing unrest, a broad coalition comprising opposition leaders, civil society organisations, digital rights activists, and concerned citizens, under the leadership of Mr. Darian D’Aric, filed a writ petition under Article 32 of the Constitution before the Supreme Court of Hogwartsia. The Petitioners alleged that the conduct of the 2025 General Elections, supervised by the ECH, had been tainted by large-scale irregularities, resulting in a grave violation of the citizens’ fundamental rights, as well as the constitutional guarantee of free and fair elections, a principle recognised as part of the basic structure of the Constitution.
21. The Petitioners also alleged collusion between the office of the Prime Minister, Aschel Synge, and the Chief Election Commissioner, Saket Ojha, suggesting that administrative bias and misuse of state resources had irreparably compromised the integrity of the electoral process. They argued that these actions not only undermined public confidence in the electoral system but also struck at the core of democratic legitimacy guaranteed by the Constitution of Hogwartsia. The Prime Minister’s Office categorically denied the allegations, asserting that the petitioners were attempting to politicise a routine administrative malfunction. The Government stated that it had no access, direct or indirect, to the ECH’s technical systems, which were constitutionally insulated.
22. The Supreme Court, after preliminary consideration of the petition, issued notices to the Election Commission of Hogwartsia, directing it to file its response within a stipulated period. While refraining from making any interim observations on the veracity of the allegations, the Court

observed that the issues raised touch upon the core of constitutional democracy and warrant authoritative adjudication and ordered an expedited hearing. The matter was accordingly listed for final hearing on a designated date.

**CONTENTIONS RAISED-**

1. Is this writ petition challenging alleged electoral irregularities maintainable under the Constitution?
2. Whether the right to verify that one's vote has been accurately recorded constitutes part of the fundamental rights guaranteed under the Constitution of Hogwartsia?

The matter is scheduled for hearing on November 14th, 2025.

**The laws of Hogwartsia are *mutatis mutandis* to the laws of India.**

Prepare arguments from both sides.

**( NOTE- Teams may frame any other issue(s) and/or sub-issue (s) in addition to the ones listed above, based on their interpretation and understanding of the proposition. Further, no law other than the Constitution and the Representation of the People Act can be invoked.)**

*The Moot Proposition is based on the draft prepared by **Mr. Harsh Amrit (Batch of 2024)** and **Mr. Aroni D. Swami (Batch of 2026)**.*

*The Moot Proposition is a work of fiction and has no corresponding similarity with any real-life event, person, group, or incident; any such similarity is merely coincidental.*