

# MOOT COURT SOCIETY

## Citizens Union for Animal rights and Ors. v. Union of Indica

1. Indica is a peninsular nation located on the continent of Auroria, celebrated for its vast tropical rainforests, coastal mangroves, and grassland ecosystems. Its forests are home to several endemic including the Indican Hornbill and the rare Indican Bluewood Tiger. The nation was colonised by the British people for over two-hundred years. During this colonial period, the natural resources of Indica were heavily exploited by the British. After a prolonged violent struggle, Indica gained independence in 1945 and emerged as a sovereign, socialist, and democratic republic. Indica's constitution recognized the need to protect natural resources and mandated the state's duty to formulate policies that intend to safeguard wildlife and forests.
2. Indica's seventh Prime Minister, Mr. Nausher Kapadia, was a visionary leader who, in order to promote ecological conservation, decided to introduce a new law to provide for the conservation, protection and management of wildlife. Thus in 1972, the Parliament of Indica enacted the Indica Wildlife Protection and Conservation Act, 1972 ("IWPCA") which established strict protocols for the import, breeding and management of exotic and endangered wildlife including but not limited to prior mandatory clearance from appropriate government authorities.
3. After the implementation of the IWPCA, the rampant trafficking of animals of Indica significantly reduced over the period of years and such activities were successfully curtailed with an exception of few. However, over a period of time, the government received several allegations of corruption against the designated public servants under the IWPCA. Moreover, the government realized that (i) the excessive regulation and scrutiny by the public servants in matters of wildlife management and (ii) the delays in clearance process caused by corrupt officers; has been causing difficulties to set up ecological conservation projects. The gap between establishing conservation facilities and wildlife conservation exposed more animals to trafficking risks.
4. In May 2019, the Jasmine party of Indica won the parliamentary elections with a landslide victory. The Jasmine Party appointed Mr. Shyam Kohli as their Prime Minister. Mr. Kohli was an advocate for animal welfare rights and had innovative and ambitious vision for ecological conservation.
5. In 2020, Indica became a signatory to the Global Conference on Wildlife Conservation and Carbon Finance held in Nairobi. The agreement placed wildlife protection at the centre of the carbon credit market and required stronger commitments from developed

nations. Indica's delegation secured provisions that a fixed share of carbon offsets must be sourced from biodiversity and conservation projects. This measure gave wildlife reserves a defined commercial value and opened new avenues for investment. Soon after, leading global tycoons began venturing into this sector, acquiring land and funding large ecological projects. In Indica, majority of the conglomerates seized the opportunity to position themselves at the forefront of this new ecological economy, where saving endangered species became not only a moral imperative but also a profitable enterprise. As a result, the conference thus marked a turning point where ecological conservation and global finance converged in a structured and enforceable manner.

6. Artor Group Private Limited (“**Artor**”), a market giant in Indica had established itself in various sectors such as energy, petrochemicals, natural gas, retail, entertainment, telecommunications, mass media and textiles. Artor is currently the largest public company in Indica by market capitalisation and revenue, and the 86th largest company worldwide. It is rumoured that the President of Artor Mr. Rakesh Verma has had such a successful market run due to his strong influence and deep connections with various political parties. In fact, Mr Kohli was also spotted at Mr. Verma's son's wedding in March 2021.
7. In March 2022, Artor purchased 24,500 hectares of agricultural and scrubland in the southern plains of Indica and began developing a new project named “Vriksh Vatika” (“**VV**”), intended to be Indica's largest privately owned zoological park. The promoter of the project, Mr. Rakesh Verma, in the inauguration ceremony claimed that, “*Vriksh Vatika aims to create a safe and secure ecological environment with a focus on rescuing, rehabilitating, and conserving chronically ill animals that require medical assistance. We thereby intend to work for the protection of endangered species such as lions, cheetahs, and elephants and other flora and fauna.*” The facility employed 5,000 staff members and operated 20 dedicated animal clinics. After inspection of property, based on the various facilities provided and the services employed, the Chief Wildlife Warden Officer gave a report stating that “*the clinics and veterinarians were fit to provide due care and the ecological environment would serve as a hospitable land for various species*”. Based on this report, the State Government granted VV the status of “Community Reserve” under the IWPCA, making it the largest private reserve to qualify.
8. In light of the constant allegations of corruption in clearance process over the years, Mr. Kohli's government in August 2025, passed the Indica Wildlife Protection and Conservation (Amendment) Act, 2025 (“**IWPCAA, 2025**”) inserting Section 38-J (A) into the Act, allowing reserves over 20,000 hectares with “Community Reserve” status (granted before 1<sup>st</sup> January 2022) to import exotic and endangered species without prior clearance from the Chief Wildlife Warden Officer, provided that the reserve is duly

examined by the appropriate authority under the IWPCAA, 2025 The Amendment Act has been annexed to the moot proposition as “**Annexure A**”. The Minister of

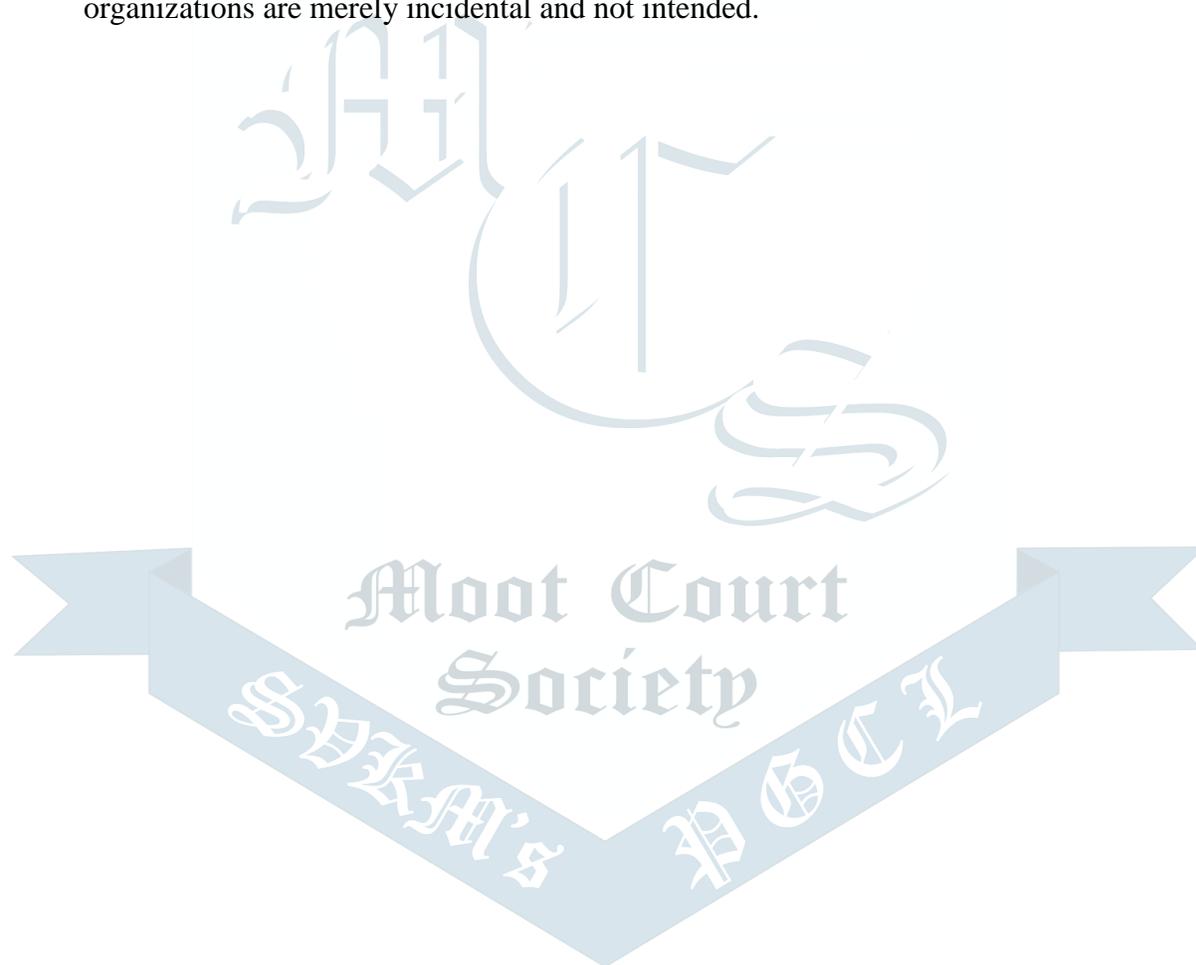
9. Environment, Forest and Climate Change of the Union of Indica released a statement saying, *“The amendment has been issued in the interest of endangered species and environment. The classification made under Section 38-J (A) is reasonable and is based on scale, availability of resources, and heritage status. In order to tackle the rampant animal trafficking and ecological destruction it is necessary to provide a procedural autonomy to large reserves in order to promote and speed up their functioning. The decision to introduce this amendment has been taken in good faith by the government. Thus, the amendment is validly issued under our legislative power.”*
10. The introduction of IWPCAA, 2025 received massive backlash from citizens and various animal welfare organizations across the globe. It raised eyebrows regarding the responsibility and integrity of the government. As a result of the massive public outrage an independent media house named Astria published an investigative report on VV’s wildlife management. The report stated that VV has sought permission from Indica’s environment ministry to source a whopping 5031 animals – including 500 hybrid lions, 420 hybrid tigers, 200 penguins, 100 polar bears and 250 giraffes – from Makwaaba Lodge and Black cat Park, a privately-owned wildlife park in South Africa. Makwaaba, set up in South Africa is an infamous captive-bred big cat industry. They also released video from the park where animals were kept and the showed the conditions of the clinics.
11. Following this report, a non-governmental organization in the State of Indica named ‘Citizens Union for Animal rights’ decided to file a petition against such amendment. They argue that the Section 38-J (A) constitutes an arbitrary and unreasonable classification. They allege that this legislation has been specifically tailor made by the present government in order to support the capitalistic policies of the Artor Group and that the animals are being removed from their natural habitat and brought here for furthering the commercial motives of Artor group. They argued that Artor group never had the intention of rescuing animals or taking good care of them.
12. Based on the report, Mr. Hemant Sama a shareholder of Sama Industries Private Limited which is another corporate giant in Indica, filed a petition challenging the IWPCAA, 2025 by alleging that through this amendment the Government is arbitrarily favouring the Artor group due to their good relations with the promoters. They also allege that the Amendment has been customised for the benefit of Artor, enables them to take control of more carbon credits and restricts any other company from obtaining similar benefits for their conservation activities.

13. The petitions filed by Citizens Union for Animal rights and Mr. Sama were clubbed together by the Hon'ble Supreme Court of Indica and have been listed to be heard before the Apex court of Indica. The following issues have been taken up for adjudication:

- i. Whether the IWPCAA, 2025 is violative of Article 14 of the Constitution of Indica?
- ii. Whether the IWPCAA, 2025 is violative of Article 19 of the Constitution of Indica?
- iii. Whether the Section 39-J (A) is ultra vires to the ICWPA, the parent Act?

**Note:**

- The Indica Wildlife Protection and Conservation Act, 1972 is *pari materia* to the Wildlife Protection Act, 1972. All other laws of Indica are also *pari materia* to India.
- Reference to any characters, situations, political parties etc mentioned above are fictitious and only serve the purpose of arguments for this Moot. Any similarities to any persons or organizations are merely incidental and not intended.



## Annexure A

The following act of the Parliament received the assent of the president on the 2<sup>nd</sup> August 2025 and is hereby published for general information

### **The Indica Wildlife Protection and Conservation (Amendment) Act, 2025**

(Act No. 5 of 2025)

[2nd August, 2025]

*An Act further to amend the Indica Wildlife Protection and Conservation Act, 1972*

**BE it enacted by the Parliament of Indica as follows:**

#### **Chapter I**

##### 1. Short title and commencement

- i. This Act may be called the *Indica Wildlife Protection and Conservation (Amendment) Act, 2025*.
- ii. It shall come into force on such date as the Central Government may, by notification, appoint.

#### **Chapter II**

##### 2. Insertion of Section 38-J (A) after section 38-J, –

“Section 38-J (A). **Special provision for import of exotic or endangered species by certain community reserves.**

1. Notwithstanding anything contained in Section 35 or in any other provision of this Act, or in any other law for the time being in force, any conservation reserve or zoological park which—
  - a) comprises an area exceeding twenty thousand hectares; and
  - b) has been declared as a “Community Reserve” by the Central Government prior to the 1st day of January, 2022;

shall be permitted to import exotic or endangered species without obtaining prior clearance from the National Board for Wildlife, the Chief Wildlife Warden Officer, or any other authority as may be designated by the Central Government for this clearance under any law for the time being in force.

**Provided that** before effecting such import, the Chief Wildlife Warden Officer or any other authority as may be designated by the Central Government, shall examine and certify that such reserve is situated in suitable ecological habitat, adequately equipped to provide the requisite veterinary care, and other facilities necessary for the healthy survival of the species proposed to be imported.

2. The Central Government may, by notification, prescribe the form, manner, and procedure for the examination referred to in this section.

3. The provisions of this section shall have effect notwithstanding anything inconsistent therewith contained in this Act or in any other law for the time being in force.”

