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MOOT COURT SOCIETY

IN THE SUPREME COURT OF HARAPPA

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITIONS (CIVIL) NOS. 412 OF 2026 WITH 431 OF 2026

Centre for Justice and Protection & Anr.

(Petitioners in W.P.(C) 412/2026)

Prof. (Dr.) Manvi G. & Ors. (Petitioners in W.P.(C) 431/2026)

Versus

Union of Harappa, Election Commission of Harappa & Anr. (Respondents)

THE FACTS

A. Background

1. Republic of Harappa is a sovereign, socialist, secular, democratic republic with a parliamentary form of government. It has a bicameral Union legislature (*Lok Sabha* and *Rajya Sabha*), an Election Commission of Harappa (**ECH**) established under Article 324, and a written Constitution.
2. Article 326 of the Constitution guarantees adult suffrage and states that every citizen who is "*not less than eighteen years of age*" on the qualifying date, and who is not otherwise disqualified, "*shall be entitled to be registered as a voter*". Section 19 of the Representation of the People Act, 1950 (**RPA 1950**) repeats the age requirement for registration in the electoral roll.
3. Harappa's youth (ages 18–25) make up nearly 19% of the electorate. In the general election of 2024, voters aged 18–21 accounted for about 6.8 crore of the 96 crore registered voters. This was 71%, higher than the national average of 66%. In the 2024–25, first-time voters were also the most active users of social media for political discourse.
4. In November 2025, during the Legislative Assembly elections in the State of Bandra Pradesh, an AI generated synthetic video circulated on the platform "*Blue Bird*" showing

a leader of Centre for Justice and Protection, allegedly announcing a protest to the abolition of the State's reservation policy. The video was later found to be a deepfake, but by that time it had been viewed 4.1 crore times before being taken down. Riots due to such video ensued in several districts leaving 41 people dead. A Commission of Inquiry headed by a retired Judge of the Supreme Court, Justice (Retd.) Duryodhan Yaman Choudhury (**the Choudhury Commission**) was appointed.

5. In its interim report of January 2026, the Choudhury Commission observed, among other things, that:
 - (a) political campaigning on social media by “amplification networks” of paid individuals, bots and influencers had overwhelmed the ECH's capacity to monitor;
 - (b) young and first-time voters were “easily susceptible to algorithmically generated political content”; and
 - (c) “maturity and pragmatic understanding of voters is necessary for in the national electorate.”
6. The report, among other things, recommended stricter regulation of synthetic content, real-time takedown obligations for intermediaries and enhanced penalties for deepfake dissemination. Prior to introducing the Bill, the Union Government considered measures including mandatory disclosure of AI-generated political content, fact-checking mechanisms, media literacy programmes and enhanced regulation of political advertisements, but concluded that such measures would not adequately address the scale and speed of algorithmic manipulation.
7. On 3rd February, 2026, the ruling party, the Brotherhood for Justice and Peace, introduced the Representation of the People (Amendment) Bill, 2026 in the Lok Sabha. The Statement of Objects and Reasons stated that the Bill intends to “ensure an informed, mature and resilient electorate in light of emerging forms of algorithmic manipulation and synthetic political content.e,” referred to “the vulnerability of persons below twenty-one years and being susceptible to being influenced”.
8. The Bill was passed by the Lok Sabha on 19th February 2026 and by Rajya Sabha on 4th March 2026 by a simple majority. The President gave assent on 21st March 2026 and the Representation of the People (Amendment) Act, 2026 (the Amendment Act) was

published in the Gazette the same day (Appendix A). It was notified and came into force on 1st May, 2026.

9. As a result of the Amendment Act, 5.9 crore electors were rendered ineligible for registration and their names were directed to be deleted from the electoral rolls by 30 June 2026. The deletion was carried out pursuant to Section 4 of the Amendment Act, notwithstanding the ordinary procedures for correction, revision and deletion of electoral rolls under Sections 21, 22 and 23 of the Representation of the People Act, 1950. Consequently, several individuals who had previously been registered as electors lost their eligibility to participate in subsequent elections until attaining the age of twenty-one years.
10. Simultaneously, the ECH issued the **Election Commission (Regulation of Digital Political Communication) Order, 2026** on 10th April, 2026 (**the ECH Order**; see Appendix B) after “consultation” with the Union Government.
11. Between 12th April, 2026 and 30th June 2026, over 1,10,000 posts were removed. Six thousand accounts were suspended.
12. A Writ Petition was filed under Article 32 by Centre for Justice and Protection, and Mr. Dev Mishra, a law student who just turned 18, challenging Sections 2, 3, 4 and 5 of the Amendment Act as violative of Articles 14, 19(1)(a), 21, 324 and 326 and the basic structure.
13. Another Petition was filed by Prof. (Dr.) Manvi G., a renowned professor, challenging the ECH Order as unconstitutional and *ultra vires*. Both the Petitions were clubbed together and placed before the Hon’ble Supreme Court of Harappa, pursuant to which the following issues were framed for arguments before the Court.

ISSUES:

Issue 1: Whether the Writ Petitions filed under Article 32 of the Constitution are maintainable in the Supreme Court of Harappa ?

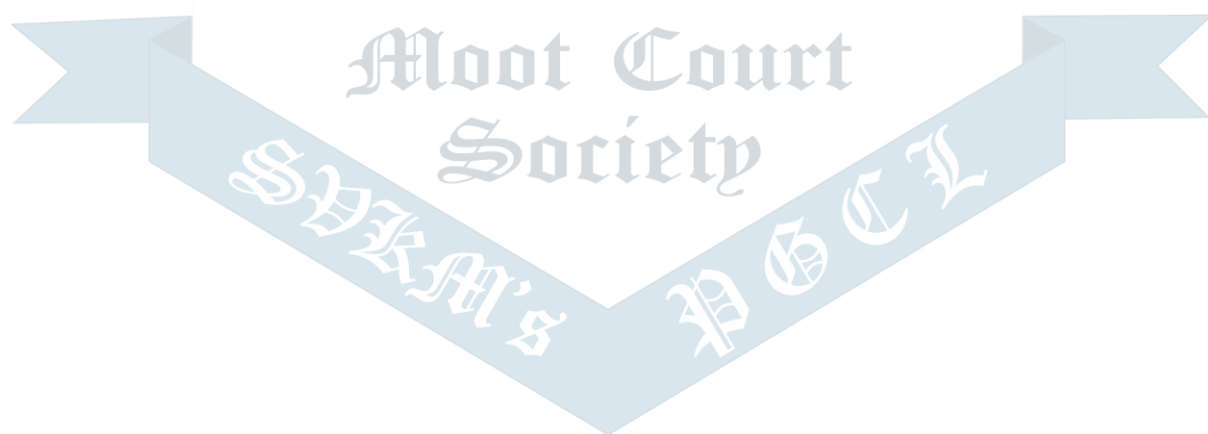
Issue 2: Whether the Amendment Act raising the elector qualifying age from 18 to 21 violates fundamental rights and the basic structure doctrine of the Constitution?

Issue 3: Whether the ECH Order is *ultra vires* and unconstitutional for violating fundamental rights and the doctrine of free and fair elections?

Note:

- a. *Participants are at liberty to add, amend or create sub-issues within the scope of the given facts.*
- b. *Issues of maintainability includes the question of locus standi, question of the respondent(s) being Article 12 authorities, and the question of the impugned acts falling within the scope of Article 13.*
- c. *The petitions were clubbed together, concerning similar issues, by a prior order of the Court.*
- d. *The Constitution of the Republic of Harappa, the Representation of the People Acts of 1950 and 1951, the Information Technology Act, 2000 and all other statutes and judicial precedents are pari materia to those of India. Judgments of the Supreme Court of India are binding precedent in Harappa.*
- e. *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.*

The moot problem has been drafted by Mr. Madhav Ved, Law Clerk-cum-Research Associate, Supreme Court of India. Any attempt by a participant to contact the drafter directly or indirectly, in relation to this Moot Proposition shall result in immediate disqualification.



APPENDIX “A”

THE REPRESENTATION OF THE PEOPLE (AMENDMENT) ACT, 2026

(Act No. 14 of 2026)

[21st March, 2026]

An Act further to amend the Representation of the People Act, 1950.

Be it enacted by Parliament in the Seventy-seventh Year of the Republic of Harappa as follows:

1. Short title and commencement.

- (1) This Act may be called the Representation of the People (Amendment) Act, 2026.
- (2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. Amendment of section 19.

In section 19 of the principal Act, in clause (b), for the words "not less than eighteen years of age", the words "not less than twenty-one years of age" shall be substituted.

3. Transitional provisions and deletion.

- (1) Notwithstanding anything in section 21, section 22 or section 23 of the principal Act, or any other law for the time being in force, the Electoral Registration Officer shall, on or before the 30th day of June, 2026, delete from every electoral roll in force, including any roll under preparation or revision, the name of every person who has not attained the age of twenty-one years on the qualifying date.

4. Non-obstante and removal of doubts.

- (1) The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force, or in any judgment, decree or order of any court.

5. Validation.

No election held or to be held on the electoral roll as amended by this Act shall be called in question in any court on the ground that persons aged between eighteen and twenty-one years were not included in such roll.

APPENDIX "B"

THE ELECTION COMMISSION (REGULATION OF DIGITAL POLITICAL COMMUNICATION) ORDER, 2026

(Extract, dated 10 April 2026; issued under Article 324 of the Constitution and Section 169 of the RPA 1951)

Clause 1. Definitions.

(a) "Digital political communication" means any text, image, audio, video, emoji, link, reaction, share, comment, or other message made on or through any social media platform or internet-based communication service that has the effect or tendency of promoting the electoral prospects of a political party or any member thereof.

(b) "Regulated period" means the period commencing six months prior to the date of expiry of the term of the House or Assembly concerned and ending upon the declaration of results. No political party, candidate, office-bearer, or person acting on behalf of a political party or candidate shall, during the regulated period, knowingly disseminate synthetic, materially manipulated or demonstrably false digital political communication having a reasonable likelihood of materially affecting electoral choice."

Clause 2. Prohibition.

No political party, office-bearer, member, candidate, or any other individual or entity shall, during the regulated period, engage in any digital political communication in favour of any political party or any member of such party.

Clause 3. Exceptions.

Para 2 shall not apply to (i) communications of the Election Commission; (ii) news content of a registered media organisation that has obtained an Editorial Neutrality Certificate from the Commission; and (iii) official communications by the Government or its departments regarding "public welfare schemes."

Clause 4. Corrupt practice.

A contravention of Para 2 shall be deemed to constitute a corrupt practice of undue influence within the meaning of Section 123(2) of the RPA 1951 if the contravention is by a candidate or his agent, or by any other person with the candidate's consent, and such consent shall be *presumed* where the communication benefits the candidate.

Clause 9. Duties of intermediaries.

Every social media intermediary shall proactively identify and disable access to any communication violating Para 2 within two (2) hours of upload or of receiving notice from the Commission's Digital Monitoring Cell. Failure shall result in loss of the exemption under Section 79 of the Information Technology Act, 2000.

Clause 11. Penalty.

Any individual who contravenes Para 2 shall be punishable with imprisonment which may extend to two years, or with fine, or with both.

Clause 12. Non-justiciability of internal determinations.

The determination of the Commission or its Digital Monitoring Cell as to whether a communication constitutes "digital political communication" shall be final and shall not be called in question in any court, save in an election petition under Part VI of the RPA 1951.

