

MOOT PROPOSITION

1. Union of Indica is a sovereign, socialist, democratic and republic nation that is known for its rich diversity, cultures and traditions. It is inhabited by several religious groups and communities including members of tribal communities. Also, the nation is known for its flora, fauna and rich mineral resources that not only supports the ecological conduciveness but also economic viability of the nation. Being a developing nation with rapidly expanding contours of industrial ambitions along with its recent commitments in the international arena towards achieving net-zero carbon emissions by 2070, it has undertaken a tremendous shift towards renewable sources of energy. In pursuit of the attainment of the aims and aspirations of the international commitments, Union of Indica launched the flagship initiative namely “*Strategic Clean Energy Transition Mission (SCETM)*” for securing as well as strengthening access to minerals (nickel, lithium and cobalt) that are essential for supporting renewable energy technologies.
2. In furtherance of SCETM, Union of Indica paved the path towards a public-private partnership model that resulted in an agreement with a multinational mining corporation located in Norland, namely Heliox Global Resources Ltd. (HGRL). Furthermore, this public-private partnership got reinforced with another arrangement with a public sector undertaking of Indica namely Prithvi Infrastructure Ltd. (PIL). HGRL for the attainment of the goals of the arrangement entered into with Indica and PIL, created a Special Purpose Vehicle namely Heliox-Prithvi Green Energy Pvt. Ltd. (HPGE). HPGE purports towards execution of large-scale mining as well as processing project situated in Dharini Basin (State of Vananchal), known as “*Dharini Integrated Lithium Extraction Zone (DILEZ)*”. The project site serves as an epicenter of rich biodiversity, along with abundant deposits of lithium bearing ore.
3. State of Vananchal, especially Dharini Basin is known for the indigenous tribal population that it is home to. Dharini Basin, a designated scheduled area within the folds of the Indican Constitution, inhabits Adivasis populations, which have distinct cultural practices, social identity, and livelihoods intrinsically attached to the forest ecosystem. Dharini Basin forms a critical ecological zone, not only as a primary catchment area for River Dharini that serves as a source of water to millions of people but also as an integral part of an elephant

Virtual : Jul 10th & 11th ; On Campus : Aug 7th & Aug 8, 2026

migration corridor. The ecological viability along with cultural relevancy of the area never affected the Government's decision towards identifying the same as a "*strategic mineral zone*" that is appurtenant for the energy security and development of the nation.

4. A parliamentary committee report (submitted but not tabled) subsequently highlighted that the categorization as well as selection of the Dharini Basin as a "*strategic mineral zone*" was premised upon an algorithmic miner-mapping software that was procured from a foreign private defense analytics firm, the details of which remains concealed under national security grounds as its disclosure would compromise economic as well as strategic interests. Several critics mentioned the adoption of the technology having an opaque processes deviates from the cardinal tenets of transparency, accountability, and reasonability.
5. Government of Indica, keeping in view the strategic significance of the DILEZ project for the national development as well as its commitments towards international communities, diverted approximately 5,200 hectares of the forest land. These lands were used for multiple purposes that are essential for extraction and processing for lithium ore which includes open-pit mining site, thermal power backup unit, chemical processing facilities, and a freight corridor. Premising upon the urgency and priority of the project, the approval process of all the requisites are expedited as that of a "*national priority infrastructure*", and environmental as well as forest clearance, along with the consent from the end of the State Pollution Control Board was granted. The environmental clearance was alleged to be a post-facto environmental approval as it was granted after the initiation of certain preparatory activities under the provisional license. However, the authorities considered the work carried out before the environmental clearance was merely exploratory and it fails to trigger any requirement towards full statutory compliance.
6. The Environmental Impact Assessment (EIA) for the entire project was done by HGRL empanelled consultancy firm and the report counting around 1,200 pages was published in English language. The EIA report was not translated into tribal language as prevalent or commonly used amongst the locals as a medium of conversations or instructions. The locals complained about the inaccuracies cropped up in the EIA report along with inadequacy of the report in reflecting a cumulative environmental impact assessment of the project, especially in relation to the contamination of groundwater and substantial ecological harm.

Virtual : Jul 10th & 11th ; On Campus : Aug 7th & Aug 8, 2026

The footnotes as reflected in the report that acknowledged the uncertainty pertaining to the lithium leaking along with its long-term consequences remains absent in the public version of the report. A report furnished by an independent expert highlighted that certain portions of the EIA report were generated by virtue of AI-assisted predictive modeling tools that are trained on non-local datasets, thereby putting questions upon the reliability of EIA conclusions.

7. Public consultations being an essential as well as mandatory requirement of the clearance process were carried out in hybrid mode because of public health emergency, whereby people participated through physical as well as digital medium. The Gram Sabha consent that constitutes 92% approval rate of the project was conducted through a digitized voting mechanism with series of irregularities in relation to identical IP addresses, inaccurate biometric verification, and lack of quorum. Many of the members of the affected communities averred that they were neither aware about the consultation nor they have been adequately consulted. Furthermore, several individuals alleged that the approval was obtained through coercive means and administrative pressure. Subsequent forensic examination of the digitized voting process disclosed certain statistical anomalies imbibed with the automated voting patterns, however no conclusive outcomes of the manipulation has been traced out.
8. The execution of the project led to displacement of nearly 20000 locals that includes substantial numbers from Scheduled Tribes having customary rights over the forest that remain unrecorded or insufficiently documented. The absence of documentation of their formal land titles excluded them from compensation and rehabilitation. The displacement was argued to have not only taken away their livelihoods but also their cultural and spiritual practices annexed with their ancestral lands, along with access to community spaces as well as sacred groves. Several members of the affected communities brought to notice that there have been pending claims under the relevant legislation delving with forest rights during the project approval.
9. The project work has been operationalized through engagement of workforce comprised of local laborers belonging to tribal communities, migrant workers, and contractual employees as appointed through third-party agencies or complex subcontracting chains. These workers are classified to be independent contractors by virtue of standard agreements, and were not

Virtual : Jul 10th & 11th ; On Campus : Aug 7th & Aug 8, 2026

provided with the statutory protections in relation to wages, social security measures, and collective bargaining power. Certain reports from anonymous sources highlighted the unsafe working conditions of workers that includes exposure to toxic chemicals in the absence of effective protective gears, disparities in wages of migrant workers, and suppression of the collective efforts of workers through strict surveillance along with retaliatory dismissals by the authority concerned.

10. In August 2025, a mishap took place in the project site because of the failure of the tailing dam that led to death of 27 workers and also left several other severely injured. Furthermore, the incident resulted in the expulsion of toxic sludge into the villages located near the project site, thereby contaminating the water sources as well as soil. Soon after the industrial accident occurred in the project site, State authorities conducted an official inquiry and attributed the liability upon the worker's negligence, however the independent fact finding committee as constituted by several civil society organizations stated that the mishap happened because of series of systemic failures that includes lack of adequate safety infrastructure, several cost-cutting tactics, and lapses in the regulatory oversight.
11. The industrial accident occurred in the project site and the environmental implications of the project catered attention of several organizations and remain the center of discussion as well as criticisms. Although Government made it clear in its reports the adherence to all requisites levels of pollution limits as well as positioning of mitigation measures, independent scientific studies cited substantial contamination of groundwater with heavy metal concentrations. Several medical reports from the nearby hospitals highlighted increasing trends in the respiratory as well as dermatological issues amongst the patients, though these reports are silent about any direct causal link of the alleged health issues with the mining activities. Furthermore, the technologically adhere monitoring systems for gauging the environmental concerns at the project site are operated by entities having affiliation with HGRL, thereby bringing forth certain concerns towards self-regulation as well as data manipulation. However, state averred the compliance of such arrangement as per the prevailing regulatory standards.
12. The existing impediments erupted in the project site got further aggravated with the presence of HGRL as a foreign investor. The Bilateral Investment Treaty (BIT) arrangement between Union of Indica and the State of Norland ensures not only fair and

Virtual : Jul 10th & 11th ; On Campus : Aug 7th & Aug 8, 2026

equitable treatment but also immunity against expropriation. Keeping in view the worsening situation in the project site, HGRL highlighted that any or every form of adverse regulatory or judicial actions having negative impact upon the project may led to investor-state dispute settlement proceedings, thereby adding to the vulnerability of Union of Indica to significant financial liability.

- 13.** With the escalation of disputes and agitations amongst the locals in the project site located in Dharini Basin, Government deployed paramilitary forces and ensured strict policing as well as surveillance measures. Drones as well as facial recognition technologies were used to avoid any untoward situation that will halt the project. Furthermore, agitating activists vehemently opposing the project were kept under surveillance and in certain circumstances they were detained under the preventive detention laws. The prevalence of protests against the project led to shutdown of internet during the duration of protest, and locals alleged the same to suppression of their free speech, dissent along with infringement of their civil liberties. Also, the locals along with civil society organizations alleged the deployment of predictive policing tools premised on behavioral analytics to trace potential dissenters, raised serious concerns pertaining to privacy, along with the chilling effect on democratic participation.
- 14.** Alleging gross violation of human rights, environmental norms, and labour laws, Petitioners led by the NGO namely “Janajeevan Collective”, along with affected communities, civil society organizations, and labour unions filed a Public Interest Litigation before the Supreme Court of Indica.

Following issues are framed for the purpose of hearing before the Supreme Court of Indica:

- 1. Whether DILEZ project infringes the fundamental rights of the affected communities?*
- 2. Whether the environmental clearance process, including reliance on algorithmic assessments, AI-assisted modeling, and post facto approvals, adheres to constitutional tenets and environmental law framework?*



**SURANA & SURANA JUDEX 4.0 HUMAN RIGHTS LAW
MOOT COURT COMPETITION 2026-27**



Virtual : Jul 10th & 11th ; On Campus : Aug 7th & Aug 8, 2026

3. *Whether the industrial accident and labour practices under the DILEZ project violate statutory and constitutional labour protections, and whether liability can extend to parent corporations?”*
4. *Whether constitutional protections, inter alia available for Scheduled Areas prevail over obligations arising from international investment treaties?*

Note:

- a) *The laws of Union of Indica are pari materia to the laws of India.
All of the people, places, and things that are mentioned in this hypothetical scenario are fictitious, and any resemblances to actual people, places, or things in real life are purely coincidental.*
- b) *The counsels from both sides have the liberty to frame other issues on their own in addition to the predetermined issues. However, the issues must be relevant to the facts that have been given in the moot proposition.*
- c) *Teams are forbidden from making any attempt to contact the author for the purpose of this Competition.*

*Moot Proposition drafted by
Mr. Himanshu Sekhar Muduli
Assistant Professor (Law), SNIL (Deemed to be) University*