



NOVICE INTERNAL MOOT ELIMINATION-2025

B.Com.LL.B. / B.A.LL.B. (2024-29) and LL.B. (2024-27)

MOOT PROBLEM

1. Sanahabad is a country, which gained its freedom from the colonial regime in 1950. After a long struggle and bouts of civil unrest, the people elected a constituent assembly finally enacting their constitution in 1956. The constitution of Sanahabad espoused democratic ideals and federalism as its core. It promised a society built upon equality and pluralism.
2. In the year 2020, the Social Welfare Party (SWP) was elected at the central level to form the government. SWP had promised its voters to introduce the reform of One Nation One Election (ONOE) in the country after coming to power. By virtue of the 129th Constitution Amendment Bill, the same proposal was introduced in the Parliament.
3. In accordance with Article 368 of the constitution of Sanahabad, the Amendment Bill was passed by the Parliament without the ratification of the state assemblies. Article 82 A was inserted in the constitution containing the idea of ONOE with certain other necessary and relevant amendments.
4. The Peace Party (PP) in the country of Sanahabad was governing the province of Firozabad. The state government in Firozabad collapsed after internal political differences between party leaders. The Election Commission scheduled elections in 2022. However, it declared that the government would only remain in power until 2025 serving a three-year term.
5. This declaration was made by the Election Commission under Article 82 A (7) in compliance with the underlying philosophy of ONOE. This declaration created political turmoil and public outrage in Firozabad. It was perceived as a serious assault on the very foundation of democratic principles in the country.
6. PP approached the apex court of the nation arguing that Article 82 A of the constitution violates the doctrine of basic structure. Moreover, it argued that the core principles of federalism were under attack due to the application of ONOE, primarily because of the lack of consent of state assemblies.
7. The government adopted the stance that ONOE served to reduce the expenditure upon the exchequer by conducting all elections simultaneously throughout the country. It asserted that it represented a policy decision immune from judicial review. It also cited previous precedents in which countries had followed ONOE.
8. The Supreme Court of Sanahabad has framed the following issues which have to be deliberated upon by both the parties:
 - Whether the court has jurisdiction in the present matter?
 - Whether Article 82 A of the constitution is in violation of the basic structure doctrine?
 - Whether the declaration made by the Election Commission is in violation of the principles of federalism recognized within the constitution?



9. The laws of Sanahabad are *pari materia* to the constitution of India and the judicial pronouncements of the Supreme Court of India hold persuasive value in Sanahabad. The amendments made to the constitution of Sanahabad are same as the **Constitution (One Hundred and Twenty-Ninth Amendment) Bill, 2024** as introduced in the Indian Parliament with necessary changes.

Reference Research Links :: Research should extend beyond these links.

- [https://prsindia.org/files/bills_acts/bills_parliament/2024/Constitution \(One Hundred and Twenty-Ninth Amendment\) Bill, 2024.pdf](https://prsindia.org/files/bills_acts/bills_parliament/2024/Constitution_(One_Hundred_and_Twenty-Ninth_Amendment)_Bill,_2024.pdf)
- <https://main.sci.gov.in/jonew/judis/29981.pdf>
- https://onoe.gov.in/report-web/volume_I/volume_I.pdf
- <https://legallaffairs.gov.in/one-nation-one-election>
- Participants may rely upon historical scenarios of India to support their case.

*******(C)**LLOYD*****

Important Note :: This proposition has been framed by Prof. Syed Shiraz Fazal, Assistant Professor, Lloyd Law College. Any communication with the said person regarding the moot proposition would lead to immediate disqualification.