DEPARTMENT OF LAW

NORTH-EASTERN HILL UNIVERSITY

SHILLONG, MEGHALAYA

3rd NORTH-EASTERN HILL UNIVERSITY NATIONAL MOOT COURT COMPETITION

2026

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MOOT PROPOSITION

3rd NORTH-EASTERN HILL UNIVERSITY NATIONAL MOOT COURT COMPETITION, 2026

VIRTUAL ROUNDS :
29th & 30th SEPTEMBER, 2026

PRELIMINARY ROUNDS

PHYSICAL ROUNDS :
29th & 30th OCTOBER, 2026

OCTA FINAL , QUARTER FINAL , SEMI FINAL & FINAL ROUNDS

Sigmas for Cultural Livelihood (SFCL) v Union of Art Land

(Writ petition under Article 32 of the Constitution of Art Land)

(Facts of the Case)

1. Art Land is a country that consists of many states and union territories (UT). The south-west region of Art Land consists of three states and one UT. These states are Soft Land, Black Land and Sigma Land, and the union territory is Water Land. This whole region is full of mountain ranges, the Himkeshas, small and long water bodies, and patches of fertile land. The whole south-west region has been the epicentre of the natural and cultural pristine beauty of Art Land. However, for the last three decades, extensive industrialisation has been undertaken by the respective governments in this region. Sigma Land is full of high-altitude mountain ranges of the Himkeshas with small patches of land scattered throughout its territory. Soft Land and Black Land have lower- altitude ranges of the Himkeshas and some large patches of fertile land also. The longest river of Art Land, the River Jalamrit, flows through this region. The union territory of Water Land lies in the middle of Soft Land. There is no big airport or rail network in Water Land, and it is accessible only by water boats or by helicopters.
2. The northern territorial boundary of Soft Land touches Sigma Land, and its eastern territorial boundary touches Black Land. The Great Ocean makes the western borders of Soft Land and Sigma Land and the southern borders of Soft Land and Black Land. The river Jalamrit emerges from the north-eastern corner of Sigma Land and, after covering almost 100 kms. in Sigma Land, it enters Soft Land at its north-eastern corner and meanders through its territories before finally submerging in the Great Ocean at the South-West corner of Soft Land. It almost diagonally divides Soft Land. The length of River Jalamrit in Soft Land is almost 1000 kms. Many other small rivers that emerge either in Black Land or Sigma Land also merge in Jalamrit at different places in Soft Land. The whole water system of Jalamrit is highly interconnected and very precious for the people residing in the south-western region of the Art Land.
3. The UT of Water Land is surrounded by two branches of Jalamrit. The river Jalamrit divides itself into two branches, surrounds Water Land, and then, after crossing Water Land, these branches merge into one stream. The area of Water Land is almost 1000 square Kms. Water Land is full of natural beauty and has a very significant cultural role in the life of the Sigma tribe. The other important tribal group of the region is the Black tribe. There are many stories

and folklore about the wars and fights between these two tribes, but there are also many instances of mutual harmony and co-existence.

4. The inhabitants of Water Land are predominantly Sigmas. Water Land has a unique place in the cultural and religious lives of Sigmas. Sigmas in Water Land observe a fifteen-day festival of 'Jalshobhit' twice in a year. This festival is observed roughly during the first fifteen days of April and during the last fifteen days of October. The rituals of this festival can only be performed by such Sigmas who are born in Water Land and have never left Water Land even for a single moment till they complete the age of fifteen years. Sigmas of Water Land maintain strict vigil for each Sigma born there and prepare an annual list of eligible Sigmas who can perform the rituals. The Sigmas who can perform the rituals of Jalshobhit are known as 'Jal Sigmas'.
5. The other Sigmas who do not satisfy the abovementioned conditions can get the rituals of Jalshobhit performed for them by the eligible Jal Sigmas in lieu of some offerings and other promises of material donations, etc. As per the rituals, the preferred Jal Sigmas carry the small idol of Sigma deity on their heads and perform one complete round of the Water Land on foot, standing in neck-deep water of Jalamrit at least for fifteen minutes after every eight hours and sprinkling the water of Jalamrit on the deity at each such occasion.
6. Once they complete the round, the Jal Sigmas assemble at the central clay Sigma temple located in the heart of Water Land. This can happen any time during the last three days of the festivals. The Jal Sigmas leave the small deities there at the temple and provide a handful of clay from the place as blessings to those Sigmas who selected such Jal Sigmas to perform Jalshobhit rituals for them. At the time of leaving the small deity at the central temple, both the Jal Sigma and their selector cry immensely with grief and sorrow for leaving the small deity there, and after some time, Jal Sigmas provide a handful of clay from the central clay temple to the devotee Sigmas. The ethnic Sigmas do not have any photo or idol of a deity inside their homes, and such Sigmas have in their homes the clay from Jalshobhit rituals of Water Land as a pristine gift from the Almighty.
7. The Sigmas who want to participate in the rituals reach the central clay temple of Sigmas in Water Land at the start of the Jalshobhit festival and select the Jal Sigma who performs Jalshobhit for them. Such other Sigmas stay in Water Land during the festival and offer something daily to the family of the Jal Sigmas that they have selected. They serve their (Jal Sigma's) elders, take care of their meals, and do the essential daily work of the households of

the Jal Sigmas who have left their homes to perform Jalshobhit for them during the festival. After twelve days, they approach the central temple and wait for their Jal Sigmas to return, perform the other rituals there, and take back the handful of clay as blessings.

8. The Sigma devotees also make generous donations and offerings to the concerned Jal Sigmas during this last ritual of the Jalshobhit festival. As per the cultural traditions, once a person is designated as Jal Sigma and accepts to function as Jal Sigma, he/she can never do any other business or trade practice that incurs monetary benefits. This cultural restriction is applicable until the Jal Sigma attains the age of sixty. The Jal Sigmas are only dependent on the Jalshobhit festival for their income.
9. As per the cultural and philosophical stories of the Sigmas, the festival of Jalshobhit is being observed from times immemorial as a mark of purity and superiority of nature over human futile efforts. The leaving of the small man-made deity and the taking back of the raw and natural clay mark the futility and meaninglessness of human efforts in the long run and advocate accepting, at last, the superiority and purity of nature. It also indicates that, in the end, all human efforts and shapes and designs would merge into the widest natural scheme of creation and destruction.
10. When the colonisers of the Great Land first reached the south-western coast of Art Land around the mid-nineteenth century, they found a formidable kingdom of the Black tribe dominating this whole area. The people from the other tribal group, Sigma, were also part of the administrative structures of that kingdom. The colonisers of the Great Land started businesses in the region and began training mostly individuals from the Sigma tribes in their new education system. The Black people were much orthodox, and they abhorred the modern education brought by the colonisers of the Great Land for the time being. However, some segments of the Black tribe also started to be part of the modern education system brought by the colonisers of the Great Land with the passage of time.
11. The colonisers exploited the fault lines in the Black Kingdom, and with the passage of time, and with the help of trained armies comprised of natives, the whole north-west region of Art Land came under the direct colonial control of Great Land. After getting control over the region, the colonisers established a Commission to write the history of the north-west region of Art Land. This work was published in five volumes in the year 1910 titled “The North-West of Art Land: Uniqueness and Contradictions”. Volume II of this series, at pp. 237-238, observes the following about the Jalshobhit festival:

"The so-called Jalshobhit festival appears to have begun in 450 AD as a mark of the defeat of the Sigma tribe at the hands of Black tribe after the fifteen-days war. After this war, which happened somewhere in the present-day Soft Land, for control over it, most of the Sigma tribe either found refuge in the island currently called Water Land or migrated to the higher reaches of Himkeshas mountains in Sigma Land. The Jalshobhit festival is nothing but a reminder of the continuous vigil of the water borders of Water Land and a pledge to connect with the soil again because they have lost the fertile lands in Soft Land. The leaving of the deity at the central clay temple simply depicts the fear of the Sigma people of being identified by the Black tribe and suffering consequences."

12. This report resulted in intermittent riots between the Black and Sigma tribal groups of the north-west region of Art Land from 1910 to 1915. In 1916, the colonisers of Great Land divided this region into the current existing states of Sigma Land, Black Land, and Soft Land. The colonisers of Great Land developed Soft Land as the centre of their business and administrative activities, and most of the educated Sigma and Black people started to settle in Soft Land to help the colonial administration. In due course, Soft Land became the hub of such Sigma and Black people who were trained in modern education in the colonial ways of teaching and education.
13. In contrast to this, the conservative populace of Sigma and Black tribes preferred to remain in the respective states of Sigma Land and Black Land. In 1930, Water Land, which was previously a part of Soft Land, was granted special rights and protections for its cultural uniqueness. This division continued even after the independence of Art Land in 1950, and in due course, with the reorganisation of the states, Water Land became a UT of Art Land in 1960.
14. The contact of Sigma and Black tribes with the colonisers of the Great Land had also resulted in the adoption of religion X by the people of these tribes. Religion X is the religion predominantly followed by the subjects of Great Land. Most of the educated people of Sigma and Black tribes in the north-west region of Art Land have adopted religion X. However, some people are still following their ancient cultural roots and practices embedded in their respective tribal traditions. Religion X is slowly but steadily increasing its footprint in the north-western region of Art Land.
15. As per the latest census of 2011, fifty per cent of the population of Black Land consists of the people of Black tribe who follow religion X, and thirty per cent of its population consists of the

ethnic people of Black tribe connected to their cultural roots. Seventy per cent of the population of Sigma Land consists of people of the Sigma tribe who follow religion X, and twenty-five per cent of its population belongs to the ethnic people of the Sigma tribe connected to their cultural roots. The Sigma and Black tribes that follow religion X share forty-five per cent of the population each of Soft Land, making it ninety per cent of the total population of Soft Land. The ethnic Sigma tribes make up ninety per cent of the population of Water Land. Most of the tribal followers of religion X in the region do not generally observe all the traditions and rituals of their tribal identities.

16. The Constitution of Art Land describes it as a Union of States, but the traces of federalism are explicit in many provisions of the Constitution, and there have been many judicial opinions of the apex court of Art Land whereby the federal policy of governance has been declared as a basic feature of the Constitution of Art Land.
17. From 1990 onwards, there was an extensive increase in the construction of hydro-electric projects and extensive canal systems in the whole south-western region of Art Land. These systems are built mostly on the river Jalamrit or its tributaries. In Sigma Land itself, three canals have been functioning since 1995, taking the water of Jalamrit to the sea coast in the west. Soft Land has also built dams in its upper parts where Jalamrit enters its territory. It has built five canals that take Jalamrit's water to different parts of Soft Land. All these canals merge again in Jalamrit near the Great Ocean. Black Land has also constructed many dams on the tributaries of Jalamrit. All these dams and canal systems became fully operational in 2000.
18. In 1995, the geological survey of the upper reaches of Sigma Land near the origin of Jalamrit found large stocks of rare earth minerals. The Government of Art Land declared that it would proceed with the extraction of the rare earth minerals on the sites and also guaranteed that thirty per cent of the total profits earned from the extraction would be reinvested in Sigma Land for its infrastructure, health, and educational needs. Though there were some inhibitions by environmentalists and ethnic Sigma tribal groups, the Government went ahead with the project. This project has probably realigned the sources of water at the origin of Jalamrit and thus, severely affected the flow of water in Jalamrit. The start of the excavation from 2000 onwards also increased the pollution in the river.
19. These constructions and canal systems, and the excavation activities of rare earth minerals in Sigma Land, have severely affected the quantity and quality of water in Jalamrit, and Jal Sigmas

have had to cover long distances in the riverbed to perform the essential rituals of the Jalshobhit festival in neck-deep water after every eight hours. The Government of Soft Land, since 2000, has also employed an extensive industrialisation policy and established many factories related to chemicals, tanneries, etc. on the banks of Jalamrit. The Jalshobhit festival has also been inscribed on the UNESCO Intangible Cultural Heritage List in 2008.

20. These factories have extensively increased pollution in Jalamrit near Water Land, and there have been regular reports in newspapers since 2010 that many Jal Sigmas started to suffer from skin and other diseases after each Jalshobhit festival. The groundwater of Water Land has been severely polluted, and there has been an existential threat to the population living there. Though the Government has taken some steps, it could not ameliorate the levels of pollution.

21. A group of eminent scientists of Art Land visited Water Land in 2012, and after doing extensive surveys, published a report titled "Living in Water Land: A Volcano of Pollution and Disease". The report on page 5 observes:

> "The ground water in Water Land and the water of Jalamrit has been extensively polluted and using them would definitely unleash many kinds of disease in due course. It is better to take most stringent measures to stop all polluting activities along Jalamrit or to evacuate the population from Water Land to some other places."

22. After this, the Government of Art Land launched a scheme that if anyone wanted to leave Water Land voluntarily, it would help them in doing so. But this scheme failed miserably, and except for very minuscule numbers, no one came forward. In media and other government policy papers, there were also some discussions appearing regularly since 2015 that the festival of Jalshobhit should be stopped because of the health hazards to the Jal Sigmas and its historical semblance of animosity against Black Tribes.

23. During the Covid-19 lockdown period, there was a sharp decline in the number of visitors for three consecutive years, and that led to the extensive starvation of the Jal Sigmas and their dependents. There were reports of death of almost 10 Jal Sigmas or their family members due to starvation during the second wave of Covid-19.

24. In 2012 itself, another batch of scientists of Art Land found large stocks of nuclear raw materials in Water Land. After the 2018 periodic elections, a new government came to the Centre in Art Land. It unveiled its intention to establish nuclear power plants and other important installations related to defence and energy sectors in Water Land, for which it

decided to evacuate almost the entire population of Water Land to different locations, either in Soft Land or Sigma Land as per the choices of evacuees and the consultations with the respective state governments. The Central Government also highlighted serious pollution and environmental risks to the inhabitants of Water Land due to already existing pollution and the industries to be established in Water Land. The Government of Art Land also offered to provide adequate compensation as per the provisions of the Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013.

25. There were large-scale protests in Water Land, and protests were also reported in some pockets of Sigma Land dominated by the ethnic Sigma tribes. Most of the people of Water Land refused to take a single rupee from the Government and asserted that they would never leave Water Land and never stop Jalshobhit. The Government offered to create an artificial island with similar texture, either in Sigma Land or Soft Land, for the Jalshobhit festival, but there were no takers of this proposal. The Government also asserted that it would create a similar clay temple at the designated artificial island, similar to Water Land, but again to no avail.
26. The protestors formed an organisation named Sigmas' for Cultural Livelihoods (SFCL) in December 2019 and started to resist the plan of the Government of Art Land to evacuate Water Land. The whole affair came to a standstill during Covid-19, and subsequently, from 2024, the Government is pushing hard its proposal to establish its defence, energy, and nuclear facilities in Water Land with the help of Great Land. The SFCL is also pursuing many Sigma people who have already adopted religion X to start following their ethnic cultural practices, including Jalshobhit, and it is also getting a bit of success in this exercise.
27. Art Land is a very responsible country in its international relations. It has declared its full support for the Sustainable Development Goals and has unilaterally committed to their fulfilment. The central clay temple of Water Land has been on the UNESCO World Cultural Heritage List since 2005. It is also party to many international environmental law conventions and conventions to protect cultural heritage, including the World Heritage Convention of 1972 and the Intangible Cultural Heritage Convention of 2003.
28. After the failure of all democratic and political means, the SFCL finally filed a writ petition in the Supreme Court under Article 32 of the Constitution of Art Land. The Supreme Court of

Art Land has decided to hear this matter on ..... The SFCL has raised the following points before the Hon'ble Supreme Court.

- That Jal Sigmas' right to get livelihood through their cultural practices (Jalshobhit in its purest form) is their fundamental right under Article 21.
- That the Sustainable Development Goals also include culture as a component to preserve and develop, and thus Jal Sigmas, the central clay temple of Water Land and Jalshobhit, should be preserved and protected rather than destroyed.
- That it is the responsibility of the respective governments to ensure pollution-free, pristine water in Water Land at all costs.
- That the pristineness of Water Land, including Jalamrit, must be preserved, given its special cultural role in the lives of ethnic Sigma tribes and other developmental activities can take place at other locations.

29. The Government of Art Land has denied each of these points and given its own interpretation of each contention of SFCL.
30. The Supreme Court of Art Land has ordered the parties to prepare their memorials around these points. The parties also have the freedom to include new points in their memorials and oral arguments that support their claims.

Note: Except for the facts given in the case, the legal and constitutional structure of Art Land is the same as India. The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, as mentioned in the facts of the case, is the same as the Indian Act on this issue of the same year.