

## MOOT PROBLEM

1. In the year 2022, the All India Democratic Alliance (AIDA) Government consisting of 13 political parties came to power at the Centre with slender margin by winning 276 seats in the Lok Sabha elections. One of its key constituents, the Janta Democratic Party (JDP) won 35 out of the 40 Lok Sabha seats from Tamil Nadu. After hectic lobbying, the Prime Minister Mr. Khamosh Singh agreed to give the JDP three crucial cabinet berths – Surface Transport and Shipping, Civil Aviation and Information Technology. It was also decided by the Prime Minister (of course, in accordance with the diktat of the Chairperson of the AIDA), that since the JDP remained unhappy with the number of ministers inducted, they would field a JDP candidate for the Presidential elections due in 2023.

2. After arriving at a political consensus, the AIDA announced in March 2023 that for the May 2023 Presidential elections, its candidate would be the senior JDP leader Mr. Aiyyoabba. In the Presidential elections that followed, Mr. Aiyyoabba was elected the President of the Republic of India. Mr. Aiyyoabba was a dynamic President, meeting business leaders, social activists and political leaders on a regular basis, and often openly aired his views on issues of national importance.

3. In the year 2025, India witnessed its biggest scams unfold. The Comptroller and Auditor General of India (CAG), Mr. Elendil Machado in a press communiqué dated 25.08.2025 stated that M/s. Shady Interests Ltd., a company predominantly owned by JDP leaders had illegally benefited from the Union of India's policies. The CAG estimated that the loss on account of such illegal and corrupt practices was estimated at a mind boggling Rs. 2, 00, 00, 00,

00, 00, 00, 000/- . Most of this loss, according to the press release, was on account of the allegation that the President of India had used his discretionary powers to grant tax exemptions and other benefits to three major ports developed by M/s. Shady Interests Ltd. The press release also stated that the Minister of Surface Transport and Shipping, Mr. Katpadi was also involved in the multi billion scam. The release made it clear that the detailed report would be ready with all evidence within a few weeks.

4. The Young Leaders Collective, a political party with 38 members in the Lok Sabha launched a campaign to expose corruption and promote transparency. It started holding consultations with a range of other Opposition parties to enact a law to curb corruption. It also demanded that the President should resign immediately in the wake of the allegations or else it would, along with other political parties, bring an appropriate motion in the Parliament to impeach the President.

5. Meanwhile, a social activist Mr. Chulbul Choudhary, who had been on a crusade against corruption, declared that unless his version of the Janpal Bill, 2025 (a law aimed at preventing and punishing corruption at the highest levels) were tabled in the Monsoon session of the Parliament to begin on 10.09.2025, he would begin a fast-unto-death. It may be noted that the Young Leaders Collective had certain reservations about the Janpal Bill proposed by Mr. Chulbul Choudhary.

6. The Group of Empowered Ministers consisting of the five senior most Cabinet Ministers in the Union Cabinet decided that Mr. Chulbul Choudhary's draft Janpal Bill would not be either placed or discussed in the Cabinet Meeting

to be held on 27.08.2025. Consequently, in the Cabinet Meeting chaired by the Prime Minister on 27.08.2025 it was decided no draft from any civil society member would be entertained, and that the Government would formulate a law on the subject after holding consultations with all political parties. The press release issued after the Cabinet Meeting stated that the Government had decided to indefinitely defer the next session of the Parliament.

7. The CAG submitted its report on the Port's scam to the President on 30.08.2025. However, after being under severe criticism for revealing some of the details of the report earlier through a press communiqué, the CAG decided not to make the contents of the report public.

8. By a joint letter addressed to the President of India, Mr. Chulbul Choudhary, the Young Leaders Collective and six other opposition political parties demanded that the report of the CAG dated 30.08.2025 be made public and be laid before the Parliament. They also demanded that the President immediately call the Parliament into session. By a separate letter Mr. Chulbul Choudhary and his supporters demanded that their draft of the Janpal Bill be considered by the Cabinet, and in the event it is rejected, the same be introduced in the Lok Sabha for consideration. By a press release dated 02.09.2025, the President of India rejected all demands made by Mr. Chulbul Choudhary and the Young Leaders Collective and also stated that his decision was supported by a number of constitutional experts and senior lawyers of the Supreme Court of India.

9. Aggrieved by the rejection of their demands, the Young Leaders Collective filed a petition being WP No.2006/2025 before the Supreme Court of

India under Article 32 of the Constitution of India, praying that a suitable direction be issued to the President to call the Parliament into session urgently and also, table the CAG report before the Parliament and sought an appropriate relief against the President. Mr. Chulbul Choudhary also filed a similar petition being WP No.2007/2025 with an additional prayer that a direction is issued to the Union Cabinet to consider his version of the Janpal Bill and in the event it does not accept it, place his draft Bill before the Lok Sabha for consideration and seek appropriate relief against the President. Both petitions were admitted and the Union of India and the President were asked to file appropriate responses to the same. The Supreme Court listed the aforesaid Petitions for final hearing on September 11, 2025.

The Petitioners would argue on behalf of Young Leaders Collective and Mr. Chulbul Choudhary and the Respondents on behalf of the Union of India and the President of India.