



**SCHOOL OF LAW, JUSTICE & GOVERNANCE
GAUTAM BUDDHA UNIVERSITY
GREATER NOIDA**



PRESENTS

4th P.N. MATHUR MEMORIAL NATIONAL MOOT COURT COMPETITION 2025

(8th & 9th NOVEMBER, 2025)



MEDIA PARTNERS



SKILLS PARTNERS



EXCLUSIVE KNOWLEDGE PARTNER



STATE OF WATERMAN V. TANU & OTHERS

1. The State of Waterman is a peaceful country with spectacular geography and a booming economy. The country boasts of its secular character and is also cited by several countries as a true cultural amalgamation of all religions. The country respects and provides for practising and preaching the religion of their own choice. The State of Waterman is home to various religious communities with Maa, Stead and Anto being the prominent ones. To facilitate unity among religions, Constitution of Watermen allows religions to formulate personal religious laws in line with public policy of the country. One such law was Haqq Act that governed religious donation of immovable property for perpetuity by Antonians.
2. In December 2024, the Ministry of Minority and Interior Affairs proposed sweeping reforms to the Haqq Act, 1995, citing inefficiencies, land misuse, and lack of documentation in the administration of haqq properties across Waterman. The proposed Haqq (Amendment) Bill, 2024, stirred immediate debate within civil society and Parliament.
3. Some considered it masterstroke, while some considered it against the true fabric of the country. There was a widespread debate about various issues and limited to the following changes. Several prominent jurists of Waterman observed that the new amendment created a regime that goes against the secular nature of the country. Their interpretations of the bill can be summarised as:
 - A new requirement that only individuals who have “practised Anto for at least five years” may create a haqq.
 - A bar on oral or customary haqq (“haqq by user”), mandating written haqq deeds, unlike other religious trusts, which may be established by conduct.
 - The reconstitution of Haqq Boards to allow non-Antonians majorities, including in the positions of Chairperson and CEO.

- Criminal penalties for obstruction or non-cooperation with Board officials.
 - Suspension of haqq status for any property that becomes “disputed” or is “government property,” with no due process hearing.
 - Enhanced censorship powers against “obstructionist” digital campaigns deemed a threat to public order.
4. Despite strong opposition from minority MPs and constitutional experts, the Haqq (Amendment) Act, 2025 received Presidential assent on April 4, 2025 and was notified on April 8, 2025.
 5. Earlier that year, on February 27, 2025, the Stanley Haqq Board (Hereinafter “Board”), chaired by Lynelle Tar, released an internal circular no 41/768 listing 38 sites to be reviewed for the historical Antonians association. Among them was AG Vatika, a 3.2 acre green space in Cheta Gram, Shasgarh district, Stanley, traditionally used by Maa and Stead religions.
 6. The site included various important shrines, significant religious symbols of Anton religion, a children’s reading room, and community garden maintained by locals, and a rainwater harvesting tank funded by a government scheme in 2018.
 7. Citing oral testimony of a local preacher, residents, and mention of an 18th century grave in an undocumented village manuscript, On April 8, 2025, the Board declared the land haqq property under Section 40 of the unamended Act. The Board sealed the property with police assistance, removed religious items, and affixed a signboard: *“Portal of Heaven: Haqq Land.”*
 8. Residents and activists launched a social media campaign on April 9, 2025, under #SaveAGVatika, which gained rapid traction. Over 4.7 million users engaged with posts across X (formerly Twitter), Instagram, and YouTube. Tanu, a Delhi based legal influencer with over 150,000 followers, shared a video *“From Gardens of Unity to Gates of Heaven”* criticized the amendment as “land bulati via legislative route” and went viral.

9. On April 10, a large group of Maa and Stead believers started protesting in front of AG Vatika. Under the heat of the moment, several Stead monks entered into the Haqq property and started destroying religious symbols. Police were called who dispersed the protest and arrested Mr. Yona. Tanu and other influencers, shared the video of the incident with the caption: *“Where shrines fall, silence rises. Is this reform or repression? #HaqqRaj #DigitalSilence”*
10. Tanu and multiple influencers also reached Keyland police station where the Stead Monk, Mr. Yona was detained and released his personal information on multiple social media platforms along with other content in favor of their cause.
11. On the evening of April 12, police registered multiple FIRs under the Information Technology Act, 2000, Penal Code, and Digital Privacy Act, for sharing the Mr. Yona’s address and photo. Tanu and five student activists were arrested on April 21. Their bail was rejected by the Sessions Court, citing “risk of communal incitement.”
12. On April 22, 2025, the CJM Court in Shashgarh began framing charges against the six arrested individuals. Two prosecution witnesses were examined. A copy of the charge sheet released by defence advocate, showed the charges being framed on the count of:
 - Social media memes posted by the accused
 - A satirical video titled “The Brazen Moon”
 - A collage juxtaposing religious imagery with various heavy vehicles.

The media reported that the magistrate remarked: *“This is not an expression. This is an act of terror dressed as intellect.”* Petitioners moved the High Court to expunge these remarks and sought bail again, which was denied on the grounds that their prior conduct establishes reasonable apprehension of the danger of public incitement and damage to property. In a separate writ filed before High Court challenging the validity of new amendments to Haqq Act, High Court

made preliminary observations that the alleged provisions go against the secular character of Waterman's Constitution. The High court passed a preliminary decree clarifying that the impugned provisions challenge the basis structure of the constitution and gave the next date to decide on the matters of detention and censorship.

13. Meanwhile, the Haqq Board began building a perimeter wall around AG Vatika under police protection. Residents' pleas for the status quo were rejected by the District Magistrate.
14. On April 23, 2025, the Residents' Welfare Committee of Cheta Gram and digital rights NGO 'NetJustice Waterman' filed a Writ Petition under Article 32 before the Supreme Court, challenging:
 - The validity of revocation of Section 40 and Section 3(r)(i) of the Haqq Act.
 - The arrest and prolonged detention of protestors.
 - Censorship and takedown actions under the IT Act.
 - Dilution of Antonians' denominational control over haqq institutions.
15. As the issue snowballed, four MPs wrote to the Chief Justice of Supreme Court urging suo motu cognizance. News channels hosted polarised debates, with segments showing satellite maps of alleged Antoic land takeovers. Taking into account the importance of this issue to the nation integrity, The Supreme Court took cognizance of the matter and transferred the connected matters from High Court to a three judge constitutional bench.
16. The Solicitor General argued that the matter involved disputed facts and petitioners had bypassed statutory remedies. Petitioners' counsel countered that:
 - The chilling effect of the amendment justifies direct SC intervention.
 - The requirement to prove religious adherence is an attack on privacy as well, and the denial of bail is against the law.

- The majority control by non-Antonians in Haqq Boards infringes the *Constitution of Waterman*.

After due deliberation and discussions, the matter is now posted for final hearing on November 9, 2025.

Issues for Consideration

1. Whether revocation of Section 40 and Section 3(r)(i) via the Haqq Amendment Act, 2025, is violative of the Constitution? Further, whether mandating that only a person who has practised Anto for five years may create a haqq violates the right to privacy and freedom of religion under the Constitution?
2. Whether allowing a non-Antonians majority in Haqq Boards and Councils violates the Constitution?
3. Whether digital protest activity (memes, satire, commentary) can be reasonably classified as “cyberterrorism” or “obscenity” and the takedown orders are legal under the IT Act and Penal Code?
4. Whether the denial of bail to protestors for digital expression violates the right to life and liberty?

Note:

The laws of Waterman are pari-materia to the laws of India with the Penal Code corresponding to Bhartiya Nyaya Sanhita and other criminal provisions corresponding to latest amendments.

Disclaimer:

This moot proposition is a fictional work with no relation to any person living or otherwise. This proposition is not directed towards any individual or community. Any resemblance to a real person, event or incident is purely coincidental.