

THE MUN FACTORY 3.0

MOOT COURT

Constitutional Bench of the Supreme Court of India

From A Raw Thought To A Risen Belief.

AGENDA

**Adjudicating upon the NEET-UG Paper
Leak (2024, 2026)**

Background Guide · Delegate Handbook

Issued by the TMF Academic Team

Dates: 30 – 31 Oct & 1 Nov 2026

Venue: The MUN Factory 3.0

LAW. JUSTICE. REPUBLIC.

From the Bench

Honourable Counsels,

You are about to appear before a Constitutional Bench of the Supreme Court of India — not to make speeches, but to make arguments. A moot court is the most disciplined room at The MUN Factory. There is no lobbying, no bloc politics, and no applause for volume. There is only the record, the statute, the precedent, and the strength of your reasoning under questioning.

The agenda before this Bench arises out of one of the gravest institutional failures in recent Indian public examination history: the leak of the National Eligibility cum Entrance Test (Undergraduate) papers of 2024 and 2026. Over two million aspirants sit this examination each year. When its integrity fails, what fails with it is not merely an answer key — it is the constitutional promise of equality of opportunity.

This guide gives you the factual matrix, the constitutional and statutory framework, the issues framed for adjudication, the procedure of the Bench, and the standard to which your submissions will be held. Read it in full. Then read the judgments it points you to. The Bench will assume you have.

— *The Academic Team, The MUN Factory 3.0*

What a Moot Court Is

A moot court is a simulated appellate proceeding. Unlike a trial court, the Bench does not record evidence or examine witnesses. The facts are taken as given in the moot proposition; what is contested is the law that applies to them and the relief that follows.

At TMF 3.0, this committee sits as a Constitutional Bench of the Supreme Court of India exercising jurisdiction under Article 32 of the Constitution, with connected petitions transferred under Article 139A.

Who is in the room

- The Bench — Judges who control proceedings, put questions, and deliver the judgment. Their questions are not hostile; they are the examination.
- Counsel for the Petitioners — Aspirants, parents and public-interest applicants seeking cancellation, re-examination, investigation and structural directions.
- Counsel for the Respondents — The Union of India, the Ministry of Education and the National Testing Agency, defending the conduct of the examination and resisting a blanket cancellation.
- Researchers — Bench memorial support: they locate authorities, prepare case briefs, flag distinctions, and pass notes to the speaking counsel during rebuttal.
- Court Officer / Registrar — Timekeeping, exhibits, and the record.

Speaker and Researcher are equally weighted at TMF. A brilliant researcher who breaks the opposing chain of authority mid-argument wins as many marks as a fluent speaker.

The Record Before the Bench

The following facts are to be treated as part of the moot proposition. Counsel may characterise them, but may not deny them.

NEET-UG 2024

- NEET-UG 2024 was conducted by the National Testing Agency (NTA) as a single, pen-and-paper national examination for admission to undergraduate medical courses, taken by over 23 lakh candidates.
- Results disclosed an unprecedented number of perfect scores, and grace marks were awarded to a set of candidates on account of loss of examination time at certain centres.
- Credible allegations emerged of question papers having been accessed in advance at identified centres, with arrests made and an investigation transferred to the Central Bureau of Investigation.
- The grace-marks exercise was withdrawn and a limited re-test was offered to the affected candidates; a nationwide cancellation was refused on the ground that systemic breach had not been established.
- The Supreme Court, in the 2024 proceedings, declined a blanket re-test while directing structural reform of the examination architecture and constituting a high-level expert committee.

NEET-UG 2026 (the fresh cause of action)

- Despite the reforms recommended in 2024, fresh material is placed before the Bench alleging that a sealed question paper was circulated prior to the commencement of the 2026 examination in more than one State.
- Digital forensic material — timestamps on circulated images, payment trails, and device seizures — is annexed to the petitions.
- The NTA maintains that the leak, if any, was localised, that the affected candidates are identifiable, and that a targeted re-test preserves the rights of the remaining candidates.
- Petitioners contend that a second failure, following judicially noticed reform directions, establishes a systemic and continuing breach that a localised remedy cannot cure.

Constitution, Statute and Precedent

Constitutional provisions

- Article 14 — Equality before law; arbitrariness as a ground of invalidity; the level playing field in competitive examinations.
- Article 19(1)(g) — The right to practise any profession, and reasonable restrictions upon it.
- Article 21 — Life and personal liberty, read to include the right to dignity and, in the education jurisprudence, fair opportunity.
- Article 21A & Article 41 — The State's obligations in education.
- Article 32 & Article 142 — The remedial jurisdiction of this Court and its power to do complete justice.
- Article 139A — Transfer and consolidation of connected petitions.

Statutory and regulatory material

- The Public Examinations (Prevention of Unfair Means) Act, 2024 — offences, penalties, and the institutional duties it creates.
- The National Testing Agency's mandate, its Information Bulletin, and the contractual obligations of examination-centre operators.
- The Bharatiya Nyaya Sanhita / Indian Penal Code provisions on criminal conspiracy, cheating and criminal breach of trust.
- The Information Technology Act, 2000, on digital evidence and its admissibility under the Bharatiya Sakshya Adhiniyam / Evidence Act (certificate requirements for electronic records).

Precedent counsel are expected to know

- Maneka Gandhi v. Union of India — fairness as an element of Article 21.
- E.P. Royappa and Shayara Bano — arbitrariness and Article 14.
- Tanvi Sarwal v. CBSE (AIPMT 2015) — cancellation of an entire examination where the sanctity of the process was compromised.
- Inderpreet Singh Kahlon v. State of Punjab — mass cancellation and the rights of innocent candidates.
- Union of India v. Rajesh P.U. — the principle that the innocent should not suffer for the wrongdoing of a few.
- Sachin Kumar v. DSSSB and Vikash Kumar line of cases — when a court may set aside a selection process wholesale.

Framed for Adjudication

The Bench has framed the following issues. Memorials and oral submissions must be organised around them, in order.

- Issue I: Whether the material on record establishes a systemic breach of the sanctity of NEET-UG 2026, as distinct from localised malpractice capable of individual remedy.
- Issue II: Whether the conduct of the NTA and the Union, in the light of the reform directions issued after 2024, discloses a violation of Articles 14 and 21 of the Constitution.
- Issue III: Whether a nationwide cancellation and re-examination is a proportionate remedy, having regard to the rights of untainted candidates, academic-session disruption, and the availability of less restrictive alternatives.
- Issue IV: Whether this Court ought to exercise its power under Article 142 to issue structural directions — including independent oversight of the NTA, mandatory forensic auditing, and a statutory compensation framework for affected aspirants.
- Issue V: Whether the digital material relied upon by the petitioners satisfies the statutory conditions for admissibility of electronic evidence.

Counsel are warned: an argument that ignores the proportionality question in Issue III, whichever side it is made from, will not survive the Bench.

How the Bench Will Sit

Order of proceedings

- Session I — Constitution of the Bench: appearances are entered, the record is verified, and the issues are read out.
- Session II — Petitioners' oral submissions: Speaker 1 argues Issues I-II; Speaker 2 argues Issues III-V. Time is strictly kept.
- Session III — Respondents' oral submissions: the same division applies.
- Session IV — Judicial questioning: the Bench may interrupt at any point; a counsel who asks the Bench to hold its question loses the room.
- Session V — Rebuttal and sur-rebuttal: short, targeted, and confined to what was actually argued.
- Session VI — Judgment and awards.

Time allocation

- Each speaking counsel: 10 minutes of principal submission, plus 3 minutes reserved for rebuttal.
- Judicial questioning is not deducted from speaking time, at the discretion of the Presiding Judge.
- Researchers may pass written notes at any time but may not address the Bench unless permitted.

Courtroom etiquette

- Address the Bench as “My Lord / My Lady” or “Your Lordships”. Address opposing counsel as “my learned friend”.
- Stand while addressing the Bench; sit the moment a Judge begins to speak.
- Never interrupt a Judge. Never argue a fact outside the record.
- Formal Indian court attire: black and white, sober and covered.

What You Must Submit

Each team submits one memorial for the side allotted to it. Memorials are due before the conference and carry independent marks.

Required structure

- Cover page — cause title, side, team code.
- Table of Contents
- Index of Authorities — cases, statutes, books, articles, in that order.
- Statement of Jurisdiction
- Statement of Facts — neutral, no argument.
- Issues Raised
- Summary of Arguments — one page.
- Arguments Advanced — the substance, issue by issue.
- Prayer — precise relief sought.

Formatting

- A4, Times New Roman 12 pt, 1.5 line spacing; footnotes in 10 pt.
- Uniform citation format throughout (SCC style preferred).
- Word limit: 3,000 words for Arguments Advanced, excluding the index and annexures.
- No plagiarism. Copied memorials are disqualified outright.

Marking

- Knowledge of law and use of authority — 30%
- Application of law to the record — 25%
- Structure and clarity of argument — 20%
- Response to judicial questioning — 15%
- Court craft, etiquette and time discipline — 10%

How to Actually Get Ready

- Read the moot proposition three times. The third reading is where you find what the other side will use against you.
- Build a case chart: for each issue, the authority you rely on, the paragraph number, and the one-line proposition it supports.
- Prepare the weakest point of your own case first and write the answer you would give when the Bench finds it. It will.
- Distinguish, do not deny. If a precedent goes against you, show why the facts are different — never pretend it does not exist.
- Practise a 10-minute argument out loud, timed, with a friend interrupting you every ninety seconds.
- Speakers: know your first sentence and your prayer by heart. Everything in between should be flexible.
- Researchers: index everything by issue, not by case name. During rebuttal you have fifteen seconds to find an authority.

Suggested reading

- The Constitution of India — Parts III and V.
- The Public Examinations (Prevention of Unfair Means) Act, 2024.
- Supreme Court orders and the expert-committee report arising out of the 2024 NEET-UG proceedings.
- NTA Information Bulletin for NEET-UG, and the standard operating procedure for question-paper custody.
- Any standard text on constitutional law (Seervai, Basu, or Bhatia's The Transformative Constitution).

Format, Fees and Teams

Moot Court has its own registration form, separate from the general delegate form.

- Individual participant: ₹2,000 per person. TMF can pair you with teammates on the basis of experience level, complementary role preference and institutional diversity.
- Pre-formed team of 2: ₹3,900 for the team.
- Pre-formed team of 3: ₹5,799 for the team.
- Pre-formed teams are kept intact. Only the side (Petitioner / Respondent) and the courtroom schedule are allotted by the Secretariat.
- Role preferences (Speaker / Counsel, Researcher, or Either) are collected in order of preference and honoured wherever the bench composition allows.

Awards

- Best Team (Winners and Runners-up)
- Best Speaker / Counsel
- Best Researcher
- Best Memorial
- Best Judicial Temperament (Bench)

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