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4th TRC NATIONAL MOOT COURT COMPETITION 2025

**24-26 APRIL
2025**

Pool Prize :- 51,000/-



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MOOT PROPOSITION

1. The Union of Indira, a democratic nation committed to human liberties and rights as enshrined in its constitution, has been actively pursuing a digital transformation of public welfare services. This transition has been termed as the 'Digital Indira Yojana.' The Government of Indira initiated the DigiID Platform to commence the 'Digital Indira Yojana.' DigiID is a state-wide identity and welfare distribution system implemented through an application, launched by the government as a component of its flagship "Smart Governance" effort, which falls within the broader "Digital Indira Yojana" framework. The system's main aim is to enhance the efficacy and transparency of public welfare programs. All individuals aged 15 and above must possess a DigiID to access many services, including healthcare, education, social security benefits, and voter registration. The DigiID is tasked with the collection and storage of personal data, including biometric information, from all individuals.
2. DigiID has elicited diverse reactions from the public, despite its shown capacity to expedite social services and reduce delays attributed to bureaucratic processes. Following the implementation of the DigiID program throughout Indira, complaints emerged indicating that individuals encountered obstacles accessing basic services due to their inability or reluctance to adhere to the DigiID registration and usage stipulations. These occurrences have grown notably common in rural regions, where technological access is restricted, especially among those experiencing economic difficulties or lacking digital proficiency. A multitude of case studies has surfaced, emphasising the difficulties encountered by these individuals.
3. In many cases, persons requesting medical care at government hospitals were allegedly refused treatment due to the absence of a current DigiID. A notable instance included a pregnant lady from an isolated community who was denied admission to a public hospital. Notwithstanding her severe state, the medical personnel invoked the obligatory DigiID policy, as access to healthcare subsidies and services is now contingent upon the digital identity system. As a result, she lacked access to any State Hospital and was alone rescued by the kind assistance of a local physician. Local activists contend that such regulations pose a direct threat to life by obstructing access to prompt medical care. Numerous grievances have been expressed by low-income households dependent on government food distribution programs. Due to the integration of food subsidies with the DigiID system, households unable to register or verify their DigiID at distribution centers have been deprived of their monthly rations. In many remote regions, technological challenges, including inadequate internet connectivity and device failures, hinder individuals from using the DigiID system, resulting in prolonged food shortages for whole families.
4. As part of the government's "Digital Democracy" push, voting registrations and voter IDs are now integrated with DigiID. Individuals without DigiID have faced obstacles in registering to vote, effectively disenfranchising portions of the population who are unable to meet the registration requirements. In one town, elders who were unfamiliar with the app and unable to complete registration were excluded from the voter list, sparking public debates about the government's commitment to democratic participation. Vulnerable

groups such as the elderly and disabled have reported specific difficulties with the DigiID system. Elderly citizens with poor vision or physical disabilities have found it challenging to navigate the app's interface or authenticate their DigiID for services. In one case, a senior citizen was denied his monthly pension because he could not complete the biometric authentication required by the DigiID system. This has resulted in individuals protesting and civil rights organizations becoming increasingly concerned.

5. Conversely, recent reports from the prominent daily 'Times of Indira' have underscored the potential advantages of DigiID in establishing a more efficient and accessible welfare system, while enhancing transparency, mitigating fraud, and fostering digital inclusion. In a recent natural catastrophe in the southern area of Indira, the government employed DigiID to swiftly identify impacted residents and quickly distribute emergency relief cash to their accounts. The computerised data facilitated prompt identity verification by local authorities and efficient resource allocation to individuals in most need, hence minimizing logistical delays in the distribution of relief items. A significant number of residents in impacted regions allegedly obtained financial aid within 48 hours of the catastrophe, underscoring DigiID's ability to facilitate effective crisis management and response.
6. In the public healthcare sector, DigiID has facilitated the establishment of an integrated health records system by the government, which monitors immunisation and vaccination data, particularly for children and pregnant women. Healthcare professionals may now instantaneously access patients' immunisation records, facilitating the scheduling of follow-up consultations and ensuring comprehensive vaccine coverage. This approach demonstrated significant efficacy during the recent statewide vaccination initiative, wherein DigiID data facilitated the identification of unvaccinated individuals and enhanced overall public health outreach.
7. The government has facilitated financial inclusion by integrating DigiID with banking services, so including several formerly unbanked citizens into the official banking system. This has been especially advantageous for women in rural regions, who were frequently marginalised from financial services. DigiID has streamlined the account opening procedure, enabling a greater number of individuals to access savings accounts, microloans, and financial literacy initiatives. Reports show that enrolment rates in rural banks have risen by roughly 40%, enabling residents to participate in official financial activity.
8. Fraudulent claims in social programs, including agricultural and housing subsidies, have been a persistent problem. DigiID's biometric verification has effectively diminished instances of duplicate claims by individuals or ineligible recipients. The agriculture department in one state claimed a 30% reduction in fraudulent subsidy claims, crediting this decline to the security verification capabilities of DigiID. This enhancement guarantees that scarce resources are distributed more efficiently and authentically benefit qualified beneficiaries.

9. The implementation of DigiID has indirectly fostered digital literacy in rural and semi-urban regions, as individuals acquire the skills to engage with digital systems for service access. Government initiatives related to DigiID encompass seminars and training sessions aimed at enhancing digital skills, equipping individuals with fundamental understanding of mobile applications and digital identification systems. This has also motivated local businesses to establish “DigiID Help Centres,” generating employment and addressing the digital divide. The government contends that DigiID has enhanced service delivery and intends to further promote public welfare across Indira.
10. While the discourse on the advantages and disadvantages of the DigiID platform persisted in the media, several cases of data breaches began to surface. In light of reports of data breaches that exposed the personal information of numerous DigiID users, public apprehension has significantly escalated. Despite government guarantees on the implementation of security measures like encryption, these incidents have raised concerns about the adequacy of the safeguards against unauthorized access. The DigiID terms of service mandate that people consent to the dissemination of their data to specific commercial entities collaborating with the government on “public welfare services.” This situation exacerbates the issue. The majority of individuals believe that this clause infringes upon their freedom to make informed decisions, and they express concerns over potential invasions of their privacy and corporate surveillance.
11. The Arya Public Interest Foundation, a civil rights organisation, has filed a suit with the Supreme Court, contending that the DigiID system infringes upon essential constitutional rights. This occurs in light of the above specified facts. The organisation contends that mandatory participation in DigiID might undermine people' autonomy over their personal data and limit their freedom to use government services without the compulsion to provide their information. They assert that the coerced collection and dissemination of data adversely affects marginalized communities disproportionately.
12. Furthermore, the petition presented by the foundation articulates concern about the possible chilling impact that this data-sharing provision may have on individuals' ability to freely use essential services. The group contends that individuals ought to get essential social services without the apprehension that their personal data may be used for commercial purposes. They contend that the compulsory collection of biometrics and other sensitive information, lacking sufficient safeguards, infringes upon individuals' privacy.
13. In light of the public interest over the personal and sensitive information of the inhabitants of the Union of Indira in the Writ Petition, the Hon’ble Supreme Court of Indira issued a notice to the Union of Indira to present their defence.

Issues raised in the present case:

1. Whether the Writ Petition filed by the Petitioner is maintainable?
2. Whether the DigiID platform, with its mandatory biometric data collection, compulsory data-sharing requirements with private entities, and its impact on access to essential services, is constitutional in light of the Constitution of India?
3. “Whether the security measures taken by the government are adequate to secure the personal data of citizens, and whether the government’s claim of 'legitimate state interest' in implementing DigiID is sufficient.”
4. Whether the unauthorized access, data breaches, and mandatory biometric data collection under the DigiID platform amount to an offense under Section 176 (Identity Theft) and Section 179 (Violation of Privacy) of the Bhartiya Nyaya Sanhita, 2023?
5. Whether the data breaches associated with the DigiID platform attract criminal liability under the provisions of the Bhartiya Nyaya Sanhita, particularly with respect to offenses related to data theft, identity fraud, and breach of privacy?

(The laws of Union of India are in Pari-Materia with the Republic of India)

*This Moot Proposition has been drafted by *Dr. Govind Yadav, Assistant Professor, Department Of Law, Manipal University, Jaipur.*

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