



MOOT PROPOSITION

CHECKMATE 2016



1. Bambia is one of the largest countries in the world with a rich cultural and diversified heritage. With numerous languages spoken, it is a home to people of different religions and communities. It is a quasi-federal country and a leading economic player in the Asian region; consisting of East, West, North, South and Central Provinces. Bambia is the only democratic republic in the Asian region with socialist and secular features surrounded by Chindesh, with communist socialism; Neoland with maoists socialism; and Panthesh with military rule.
2. Central Province is comparatively rich in minerals and other natural resources covered by green forests and mountains. The Government of Bambia authorized corporate players to extract minerals from the Province that would significantly contribute to the economic development of the country. The initiative was opposed on a large scale by the people of central province in general and by the predominantly tribal districts in particular. The government deployed police and para-military forces (PMF) to suppress the protests; but gradually the protests became more organised and the protesters launched armed resistance against Government initiatives. The armed group named themselves as 'Soil Defence Force' (SDF). In the ensuing conflict between SDF and Governmental forces, casualties were reported from both sides.

3. Dathu is a remote tribal village in the Karol district of the Central Province of Bambia. Ribon was a local businessman in the area and was known for selling groceries and medicinal leaves. Despite the armed conflict in the area, he continued to stay there and in due course of time he expanded his business by establishing a shop in Karol. He and his family were doing very well and leading a good life in the province. He got both his sons enrolled in the public school of Karol.
4. On 1st March 1993, while returning to Dathu from his shop in Karol, Ribon saw some PMF personnel roaming near his locality. Around 2.00 am when his family was asleep, few men in PMF attire knocked on his door and enquired about Ribon from the servant, who opened the door. Ribon was then interrogated about certain SDF people who were making purchases from his shop during daytime and was taken away for further enquiries. Next morning at 10.00 am, when Ribon did not return home, his family members tried to trace him but the police found his dead body on the outskirts of the Dathu forest range.
5. After a week, when the whole family was still coming to terms with the death of Ribon, some men in PMF attire attacked the locality with guns and other dangerous weapons. Rampon, a 6th standard boy and youngest son of the deceased Ribon witnessed the brutal killings of all his family members. Being stuck in the store room of his house, he escaped the bloodshed.
6. Rampon then escaped to a nearby place and from a local STD telephoned his maternal uncle, Akande, who happened to visit them and sobbingly narrated the story to him. Akande then took him along to Neoland, where he was enrolled in a local Government school along with two of his cousins. During the evenings,

Rampon helped his uncle at his shop. Over a period of time Rampon became depressed and turned a complete recluse and apparently became stone faced.

7. Despite all the circumstances, Rampon continued to concentrate on his studies. Not only was he a topper in school, he also took keen interest in the communist and socialist teachings. He started writing different interpretations to the texts of Marx, Engles and Mao.
8. In 2002, Rampon applied for common wealth scholarship and made it to a prestigious university of England for higher studies and chose a topic 'Majoritarian Democracy and the Plight of Indigenous Minorities: A Socialist Perspective on Justice' for his research project. Rampon's life changed thereafter. With his conversations and discussions he became very popular among his batch mates. He started addressing the gatherings in the local community halls and gave them different insights of socialist ideals. Soon, many popular and influential people started coming to the places where Rampon addressed the public gatherings. A fan page was created on facebook followed by an account in his name by the end of 2005.
9. Considering the increasing popularity of Rampon, his friends urged him to write a blog expressing his magnificent views. Moreover, Rampon and his followers thought of propagating essence of socialism in the western world on a larger scale, thereby conducting workshops in various places of North America and European Union. Within four years Rampon became a popular name among communist countries. His views went viral on all the social media and had around half a million followers on Twitter by the end of 2009. Rampon secured a domain name *truesocialism.org* to update his followers on the developments and scheduling of

his programmes and also interpreting the communist ideals. His website also offered the membership of his outfit *Neo-Socialists*.

10. Impressed by his thoughts and popularity 'Quattics', a company incorporated in Virginia (USA), offered him to be the ambassador for their Corporate Social Responsibility (CSR) avenues. Quattics is engaged in research and manufacture of nuclear and other technologically advanced weapons and has business transactions worldwide to supply and deliver weapons to Governments and other organizations. On 14th August, 2010 *trueisocialism.org* crossed the mark of 20 million followers. He also formed an NGO with the same name *True-Socialism*.

11. *True-Socialism* received funds from around the world and its contributors include politicians, heads of states, corporations, and so on. Some of its contributors include the ones that are blacklisted by some western countries. Nevertheless, the organization became a platform for all sorts of monetary contributions. Quattics floated 20 million dollars subscribed capital. *True-Socialism* joined another company of Jamaica, *Alberico Co. Ltd.*, a television news channel and later acquired the majority of above floated capital of Quattics. The funds received by *true socialism* thereafter were diverted for some other purposes.

12. Rampon, a happy man on the face, cashed in on his popularity and fortune, as his shows were telecast on *Alberico* and other prominent channels. He also bought a corporate office in Baghdad, Herat and other Middle East countries. Rampon often used to contact his uncle and friends in Neoland. Though he appeared to be a contented man but deep inside his heart he was a lonely and sad person. On 5th December, 2012 Rampon and his group of six followers visited tribal people in the

jungle areas of Central Province in Bambia. Being a popular public figure Rampon was received with open arms and was accorded a very warm welcome there. During the course of events, Rampon happened to visit Karol wherein he was overwhelmed by his childhood memories, and one midnight he was seen crying and screaming on the outskirts of Dathu forest range.

13. Rampon met one Amati, a lady doctor there who happened to be the step daughter of one of the SDF leaders Memboya. After interacting with Amati, Rampon thought that she could be his life partner and proposed to her for marriage. Six months later, Amati and Rampon got married in a secret ceremony in Karol attended by her father and some close friends of Rampon. Rampon now had to move around various places like, Herat, Baghdad and Virginia for his teachings to propagate his ideas as well as for business endeavors. But primarily, he resided in Bambia. Through his NGO *True-Socialism* he opened the Institute for Studies in Scientific Socialism in Mayowa and Makrona; cities in the Eastern and Central Provinces respectively.

14. On 5th June, 2013, four persons with heavy range weapons were arrested for attempting to attack a police station in Naipur district of Central Provinces. During interrogation, two of them chewed cyanide and the remaining two confessed to being the alumni of Institute for Studies in Scientific Socialism, Mayowa and ID proofs of Neoland nationalities were recovered from all four of them. Two weeks later, during midnight, in an attack against PMF camp in the remote area of Wharkhand district of Central Province, 136 people were killed, including civilians and PMF personnel and weapons embossed with *Quattics* were recovered from the scene. On 23 August, 2013, Jagganagar tribal riots broke out and around 100 people from other provinces were killed.

15. On 5th October, 2013, *True-Socialism* called for a congregational procession in Badheli, the capital city of Bambia; aimed at making the rest of the country acknowledge the tribal rights. This was followed by a social media post from Rampon, “go to places where you have come from, anti-tribal activities shall not be tolerated by congregational procession in Badheli; surely, revenge shall be taken”. As a result of which around 2 lakh migrants from other Provinces fled from Jagganagar, the capital city of Central Province and from Badheli also; trains and flights were flooded with the people heading towards their respective places. This whole episode resulted in a lot of chaos and special force was deployed by the concerned ministry in the sensitive areas. Home minister of Bambia intervened and exhorted the people on national television, to maintain harmony and peace in the society and requested them to be tolerant.

16. Smart Economic Zones were proposed to be established by the Government of Bambia throughout the country and more specifically in the tribal districts of the Provinces. A bill to that effect was expected to be adopted in the winter session of the Parliament. This was widely protested by Rampon’s blog and by his followers. Moreover, the Institute for Studies in Scientific Socialism called for a nationwide protest against the said proposal. On 25th November 2014, when the winter session was going on in the Parliament of Bambia, twenty armed persons tried to make a forcible entry in the premises of the Parliament and killed three gardeners and four security personnel. Thereafter, with the intervention of security forces eighteen intruders were killed and two were arrested by the police. A detailed enquiry revealed the involvement of *True-Socialism* and the funds received from *True-Socialism*. Further enquiry was not conducted as Rampon was in Chindesh for past two months to deliver lectures on socialism.

17. On 11th February, 2015, Rampon was arrested from Makrona airport in Eastern Province. The Sessions Court implicated Rampon on the charges of money laundering, financing terrorism, and waging war against the Government of Bambia and sentenced him to life imprisonment. On an appeal by the Province, the High Court confirmed the charges but enhanced the punishment to death penalty. Rampon filed a petition to the Hon'ble Supreme Court of Bambia in April 2016.

All laws in force in Bambia are in *pari materia* with India. The arguments shall be based on the Constitution of India in addition to the following substantive legislations:

1. Indian Penal Code, 1860
2. Prevention of Money Laundering Act, 2002
3. Unlawful Activities (Prevention) Act, 1967

Disclaimer: It is a hypothetical proposition and neither intends nor attempts to resemble any incident or any person living or dead. All materials in the problem are fictitious and do not intend to or attempt to hurt the feelings of any community or religion. Any resemblance to any incident or person is not intended but merely a coincidence.