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presents the

20th Pro Bono *Enviro*

PRO BONO ENVIRO NATIONAL MOOT COURT COMPETITION · XX EDITIONS · COMMEMORATIVE EDITION

NATIONAL MOOT COURT COMPETITION · 2026-27

Moot *Proposition*



ORGANISED BY
THE MOOT COURT ASSOCIATION

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Moot *Proposition*

"That's one small step for (a) man, one giant leap for mankind."

1. Neil Armstrong's iconic line upon stepping on to the moon's surface on July 20, 1969 would go on to change the "space race" of the 1960s.

2. Decades later, many countries would have launched numerous rockets and placed satellites and space stations in orbit. Space connected the land and people on Earth providing governments and public with intel, surveillance, connectivity and usable day to day applications.

3. Humankind's fascination with outer space would stretch far beyond its usability alone and efforts / research are ongoing to find more secrets of the universe, life beyond earth and making space travel for private purpose, a reality.

4. The advent of the World Wide Web during the 1990s and its growth would change our civilisation forever. From personal communications to running of business, the Internet had made the world a global village. Internet and space exploration grew hand in hand, feeding off each other.

5. During the 2000s, Mr. Christopher founded an American multinational company TARS Inc., doing business in space transport, space communication and artificial intelligence. Mr. Christopher also went on to acquire another major company CASE Inc., during 2005 which was into clean energy and automotive industry. Mr. Christopher is among the wealthiest businessmen today owning many more companies and industries across fields from social media to automobiles to AI to space exploration. He has also set up, as a part of TARS Inc., a special SETI (Search for Extraterrestrial Intelligence) program in an advanced tracking laboratory.

6. The advancement of technology however came at a cost. The rapid industrialisation and setting up of numerous factories making the personal economic life of billions of people better still did not find solutions to day to day issues on environmental pollution caused by the industrial sector. There is no one magic solution found by the most advanced technology to address issues of municipal and domestic solid waste, sewage waste etc. There are issues of pollution of water bodies, destruction of eco-sensitive areas, reduction of forest cover and for that matter, even, space debris. Global warming and gradual destruction of planet Earth by humans, is a reality today.

7. Dr. Pakshirajan, a renowned ornithologist, has been a vociferous voice against environmental impacts of industries. Dr. Pakshirajan, after his retirement has settled at Kaalakilla, his native town outside of Chennai at about 10 Kms from the Vedanthangal Bird Sanctuary. He has set up in his 10-acre farmhouse a massive haven for orphan, injured and migrating birds from all over the world. He last raised agitations against installation of cell phone towers during the year 2018 on the basis that the radiation will have impact on birds and fragile insects.

8. During the 2020s, soon after the pandemic, began a new era of technological development- the age of AI (Artificial Intelligence). What had been a fantasy for decades, started becoming a usable everyday

tool. The inclusion and advancement of AI poses a serious debate on the very overhaul of the way of life that exists today.

9. Mr. Christopher during the year 2022 announced his purchase of popular social media platform "X4FUN.COM" and made a statement that AI would bring abundance to all and there would be no need for any job or work by the year 2027 to any human. Mr. Christopher also launched GROOT, an AI agent during the year 2023 and stated that advanced versions have been deployed at TARS Inc., CASE Inc. and also in many related programs of the company including at the site of the SETI laboratory.

10. The advent of AI rapidly grew in user base and has become an undeniable technological future. However, it requires massive data centres for its operations and the installation and operation of the AI data centres are water & energy intensive and also generate thermal effects to impact and potentially destroy the local environment. The advancement of AI and the setting up of data centres started triggering protests worldwide from local neighbourhoods where they are situated including that of TARS Inc.

The Kaalakilla Data Centre Project

11. M/s. BORA Industries is a reputed Indian conglomerate with a wide range of business and industries in India owned by Professor Bora. During the year 2025, a public statement was made by him announcing a tie-up between BORA Industries and TARS Inc., to set up and operate a 1000 MW data centre park in India. Dr. Vaseegaran, senior scientist at M/s. BORA Industries was appointed as head of operations for this venture. The site was identified at Kaalakilla.

12. On July 2, 2026, the Internet was rife with speculation about a leak from one of the employees at the SETI division of TARS Inc., with a code word "E.L.E.". There were memes, theories and suggestions online that SETI-TARS had found some evidence of an upcoming Extinction Level Event. There were also dismissive assertions of the same holding it as a diversion tactic against the real life issues out of AI data-centres. Mr. Christopher with no context posted a controversial post online on the same day as "Mankind was born on Earth. It was never meant to die here."

13. Protests erupted at the town of Kaalakilla on the morning of August 16, 2026 at the behest of Dr. Pakshirajan as clearing of land and cutting of trees were undertaken by huge machinery by BORA Industries. Dr. Vaseegaran made a public statement that the site measuring an extent of 49.50 Hectares was allotted and handed over by the State Government on July 4, 2026 and that BORA Industries has also obtained Environmental Clearance in its name from SEIAA for the proposed project of setting up of a 500 MW AI Data Centre on August 15, 2026. Dr. Vaseegaran also clarified that the project was to construct about 40,000 square metres of buildings to house the AI data centre equipment as cleared under Entry 8 of the EIA Notification, 2006. He further clarified that the daily water requirement of 320 KLD was to be supplied out of the Rural Water Supply Scheme and similarly the annual power requirement of about 4.4 TWh was to be supplied by the State Electricity Board as committed by the State Government. The DG sets of equal capacity were planned only as a power back-up. He further pointed out that the new government has shown keen interest in AI data parks and setting up of data centres is crucial infrastructure having national interests. Dr. Vaseegaran also clarified that the project

is an innovative state-of-the-art facility unlike a conventional data centre. The centre is planned with Air Cooled chillers and thus was not water intensive at all. Dr. Vaseegaran also stated that the project was planned with adequate Pollution Control measures and there would be no impact to any nearby areas including the farmhouse of Dr. Pakshirajan and his birds.

Appeal before the NGT (SZ)

14. Dr. Pakshirajan filed an appeal against the Environmental Clearance granted to the Kaalakilla Data Centre project before the Hon'ble NGT (SZ) on September 14, 2026 claiming that the project has been permitted by the SEIAA without proper assessment and study, that it will have adverse thermal impact on his private farm where he houses numerous birds apart from the illegality of being granted without any public hearing or objections by wrong categorisation under the EIA Notification, 2006. He further submitted that the site is not suitable for the project in view of the nearby Vedanthangal Bird Sanctuary and that in any event it ought to have been granted only by the MoEF&CC.

15. The Hon'ble NGT (SZ) had taken the appeal on record and proceeded to issue notice to BORA Industries, TARS Inc. and the official respondents for their reply and adjudication.

The Claim of Extraterrestrial Contact

16. Meanwhile, on September 28, 2026, Mr. Christopher made a shocking post on his social media network with the caption "We are not alone" and uploaded certain documents. He claimed that his team at SETI-TARS had made contact with Extraterrestrial Life with the GROOT Superbot that was able to intercept and interpret the communication. The post claimed that they had earlier in the year noticed a disruption / anomaly in space-time, a black hole, near the planet Saturn and had also sent probes into the same which were GROOT enabled and there is definite proof of the probes having made contact with extraterrestrial intelligence. Mr. Christopher insisted that while it was too early to perceive the contact as a threat, he called upon world leaders to be aware of the situation and take steps for military and civil preparations for the unknown future. He insisted that GROOT and other AI systems, bots etc., have to be ramped up in production in self-defence of the Planet Earth.

17. The American government very immediately dismissed the claims and said Mr. Christopher's claims remain unverified by the government and NASA is being consulted on the issue. The government accused Mr. Christopher of spreading public panic and stated formal cases would be filed. The government also restrained Mr. Christopher and all of his companies or anyone associated with it to not make any further statement or claim or release any information, past or present, in any manner in public. The government issued an advisory to the public at large to not panic and stated that the issue was under their active review and investigation is ongoing at SETI-TARS site. The President made a public statement against Mr. Christopher calling him "80% super genius and there is a problem with the remaining 20%". The incident spread global fear and countries world-wide were verifying the information with their AI systems.

18. The Government of India issued a public advisory on October 2, 2026 asking people to not panic but also be in preparedness for a complete lock-down and war-time civil measures, if necessary. The Government urged the public to depend only on authentic and official updates and communications.

Replies and Judgment of the NGT (SZ)

19. In the month of October, 2026 the respondents M/s. BORA Industries and TARS Inc. filed replies before the Hon'ble NGT (SZ) denying the averments in the appeal. They submitted that the Kaalakilla Data Centre is eco-friendly and not comparable to a conventional Data Centre. The project was not water or energy intensive and adequate modelling studies have been made to map the thermal effect. There is enough green belt cover which accounts for 50% of the project site to aid in dissipating the heat. The DG sets are to be purely a backup source and there would be no captive power generation within the plant.

20. They also claimed that in view of the internationally prevailing extra-ordinary circumstances, the AI related infrastructure was critically important as a part of "right to survival" and even overhauling the "right to environment". They also claimed that the advancement of AI is inevitable and given the present day situations, the destruction already caused to Earth over decades and proof of life outside the Earth mandates the AI enabled exploration of outer space including its colonisation very crucial for survival of mankind.

21. The official respondents also filed a reply submitting the project was granted Environmental Clearance as per the applicable laws and procedure. They relied upon the statements made by the Hon'ble Minister in the Parliament of India that the Data Centre projects will not be covered as a separate category but will only be attracted under Entry 8 of the EIA Notification, 2006, if applicable. They also stated that the concerned departments of the State have assessed the water and energy requirement adequately before granting clearance. They also highlighted that the project was granted clearance subject to numerous conditions on pollution control and that they will maintain strict vigil over the implementation of the project and its subsequent operations.

22. The Hon'ble NGT (SZ) pronounced its final judgment on November 6, 2026 and held as follows :-

> **A.** The appeal is allowed and the Environmental Clearance granted to the Kaalakilla Data Centre project is set aside.

> **B.** The absence of a specific entry for the Data Centre project under the EIA Notification, 2006 is not a reason for the authorities to have considered the project as a building project and grant Environmental Clearance. By applying the principle of Precaution, the said approach cannot be accepted. The MoEF&CC is directed to include the Data Centre projects as a specific entry in the EIA Notification, 2006.

C. The supply of water and energy requirement to the project is committed without comprehensive study. The power diverted for the project is massive and may amount to setting up of additional power generation sources which may be liable for separate clearances. The approach of providing such large proportion of water and energy requirement to one type of industry is against the principle of sustainable development.

D. The MoEF&CC is directed to bring out a proper sector-specific manual for data centre projects by studying the best possible technology available and to make it a viable industry in India after a proper study with experts to avoid the nation from becoming an electronic and AI infrastructure dump site of other nations.

E. The project proponents shall be at liberty to apply again under a revised proposal to the appropriate authorities after compliance with directions B to D above and the present order shall not stand in the way of the authorities to consider such modified fresh proposal on its own merits.

F. The arguments of the project proponents on “right to survival” and “right to outer space exploration and travel” are not recognised ones and do not prevail over the right to life and environment which are fundamental. The communication dated 02.10.2026 relied upon by the proponents is only a public advisory and therefore the arguments on the same are not accepted.

G. There shall be no order as to costs.

Appeal before the Hon’ble Supreme Court of India

23. M/s. BORA Industries and TARS Inc. have filed an appeal against the judgment of the NGT (SZ) before the Hon’ble Supreme Court of India under Section 22 of the NGT Act. The appeal is admitted as Civil Appeal No. 172 of 2026. Pleadings are complete and the matter is listed for final hearing.

Clarifications

LAST DATE TO SEEK CLARIFICATIONS
Sunday, 15 November 2026 · 23:59 IST

CLARIFICATIONS RELEASED TO ALL TEAMS
Tuesday, 17 November 2026

1. Only teams registered for the Competition may seek clarifications, and only through the **Prop Clarification Desk on EnviroPort** at pbenmcc.mcasoel.in/enviroport. A query sent by e-mail, by telephone or through any other channel shall not be answered (Rule 10.1).
2. Each team may raise a maximum of **seven queries**. A query shall concern the facts of the Moot Proposition, not the law or the merits of any argument (Rule 10.2).
3. The Clarifications shall be released to all teams at the same time and shall form part of the Moot Proposition. No clarification shall be given to any team individually, orally or in writing (Rules 10.3 and 10.4).
4. A team that registers after the last date for seeking clarifications may not raise queries, but is bound by the Clarifications (Rule 10.5).

Notice. Any attempt by a participant, or by any person connected with a team, to reach out to the Proposition Drafter shall lead to disqualification under Rule 52 of the Rulebook.

DISCLAIMER

This proposition is a work of fiction prepared solely for the 20th Pro Bono Enviro National Moot Court Competition 2026-27. All names, characters, entities, places and events are fictitious or used fictitiously, and any resemblance to real persons, living or dead, or actual events is purely coincidental. Laws and precedents apply as they stand on the date of the competition. The proposition does not reflect the views of the drafter, the Tamil Nadu Pollution Control Board, or the organisers.

CREDITS

Proposition drafted by **Mr. Sai Sathyajith**, Standing Counsel, Tamil Nadu Pollution Control Board.

எதிரதாக் காக்கும் அறிவினார்க் கில்லை
அதிர வருவதோர் நோய்.

Ethiradhaak kaakkum arivinaarkku illai / adhira varuvadhor noi.

No calamity comes crashing upon the wise, who guard against what is yet to come.

THIRUKKURAL 429 · THIRUVALLUVAR

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