

1st NATIONAL MEMORIAL DRAFTING COMPETITION BY

LEX BONA FIDE (2020)

MOOT PROPOSITION

1. The year is 2310. The Republic of Metallika is the world's most populous state with more than 6 billion citizens. The Constitution of Metallika ("Constitution") is the lengthiest Constitution and provides for the provisions which ensure the healthy working of the Democracy and welfare of all the people. Metallika is a conglomeration of earlier nations that comprised parts of the erstwhile Asian and African continents, is one of the planet's three great superpowers, along with Ledzep and Beatlez.

2. The official and national language of Metallika is English, and the literacy rate is 100%. All residents of Metallika have access to television and newspapers and are avid heavy metal music fans. Metallika has a strong fourth pillar, which plays its role as a regulator on Government, and also an independent judiciary vested with the powers of judicial review. The currency of Metallika is known as the Mething (M).

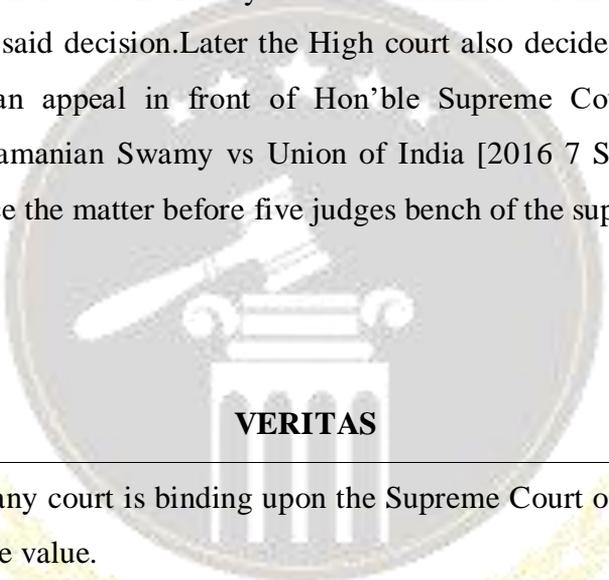
3. Mr. Steve Vai, the nations' greatest guitarist is widely considered as the father of Metallika and this title has been unanimously accepted by all the governments. His concerts are attended by billions of people and he often selects a few people to talk to him regarding how he should play so that his music becomes immortal for the people of Metallika.

4. On 12th July 2310, in one such concert, he selected Ms. Kourtney Love as the lucky lady who gets the chance to talk to him. The discussions between Mr. Vai and Ms. Love lasted for over 2 hours. After she came out of the room, she was approached by Mr. Bobby Dilan, a reporter for the news channel "Samvaad", asking about the discussions that took place. Ms. Love revealed to him that Mr. Vai is a rapist and a pervert whose actions have remained under the radar because of the

Media Gags imposed by numerous Governments' of Metallika. Samvaad repeatedly displayed their interview with Ms. Love over their news channel.

5. On 13th July 2310, Mr. Vai died because of a car accident and hence was not able to comment on the interview. On 14th July 2310, the Ministry of Media issued a Government Order banning the broadcast or sale in any format of the interview, stating that the clip was “defamatory” and started criminal proceedings against Bobby Dilan, the sole reporter and editor of Samvaad.

6. The trial court convicted Mr. Bobby Dilan for criminal defamation and hence Mr. Dilan appealed the said decision. Later the High court also decided against Mr. Dilan and he preferred an appeal in front of Hon'ble Supreme Court. In lieu of the Judgement of Subramanian Swamy vs Union of India [2016 7 SCC 221], the Chief Justice of India placed the matter before five judges bench of the supreme Court.



VERITAS

a. No judgment of any court is binding upon the Supreme Court of Metallika but they may have persuasive value.

b. The laws of Metallika are *pari materia* to the laws of the erstwhile Republic of India save Article 141 of the Constitution of India.