

**NALSAR PROXIMATE EDUCATION
NALSAR UNIVERSITY OF LAW, HYDERABAD
P.G.DIPLOMA IN MEDIA LAWS**

**2014-15
Supplementary Exams (November, 2015)**

PAPER II- MEDIA - REGULATORY FRAMEWORK

Time: 2 ½ hours.

TOTAL MARKS: 90

INSTRUCTIONS TO CANDIDATES

- 1. The questions to be interpreted as given and no clarification can be sought from the invigilator.**
- 2. No printed or handwritten materials will be allowed in the hall.**
- 3. All questions carry equal marks (15 each).**
- 4. Answer any six questions, only the first six questions will be marked.**
- 5. Answers without Question numbers will not be marked.**
- 6. Short notes not to exceed 75 words, Long answers not to exceed 250 words.**
- 7. Imaginary case laws used in the answer will result in striking of the answers in total.**

ANSWER ANY SIX OF THE FOLLOWING QUESTIONS ONLY

1. What is tort? What is the difference between 'defamation' used in general sense and 'defamation' as a tort? What are the components of the tort of defamation?
2. Article 19(2) of the Constitution mentions "contempt of court". What does it mean? How it is related to expression rights.
3. Parashuram, a young news reporter has investigated a scandal involving a Minister and a couple of IAS officers and published in newspaper "Metro Sensation Daily" after convincing himself and editor about the truth of allegations that three have misappropriated Rs.5 crores public money in the scheme of purchasing grass for the animals during a severe drought. Parashuram also provided enough time and space to the three persons to explain their cases before publishing the news item. Minister and two officers filed a civil case of defamation against journalist and the newspaper. What are the defences available to the journalist Parashuram, publisher, printer and editor, separately and defences for all of them together?
4. If the Minister filed criminal defamation complainant against Parashuram and other journalists in the above example, what are the defences available to journalists and newspaper?

Also if the Minister and Officers have filed a complaint before the Press Council of India after filing both civil and criminal complaints for defamation, what do you think the prescribed course for the Press Council?

5. Explain defence of Fair Comment in both Crime and Tort of defamation.

6. How “privilege” is a defense to charge of defamation? Define and explain the various types of privileges.
7. Mr. Lakshmipathi, an industrialist and managing director of Voice Publications Company, who publishes a newspaper “Voice of Lakshmi” carried on front page a news item alleging bankruptcy against a competitive industrialist Mr. Anthony, Managing Director of News Publishers Associates Company, which published daily newspaper ‘Kerala News’. It caused serious damage to the industries of Anthony. Unfortunately on the day ‘Voice of Lakshmi’ published the defamatory news item, Mr. Anthony died of heart attack. News Publisher Associate sued Voice Publications Company for defamation in both civil and criminal courts. Mr. Lakshmipathi argued that he has freedom of press and that a dead person cannot sue for defamation. Explain the effect of these defences.
8. Write Short notes on any two:
 - a. Obscenity
 - b. Pornography
 - c. Damage and Damages