

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

2015 – 2016

PAPER IV- ADVERTISEMENT & LAW

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 150 words, Long answers not to exceed 500 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. A top brand Car manufacturer commissioned a TV commercial with Zingo Company, who made an ad-film showing a young man got frustrated and attempting to commit suicide by climbing up a TV tower, but abandons it after finding a new model car. A few fools imitated the actions of the model in this ad-film and one of them died. A public spirited organization filed complaint against ad-film makers and car manufacturers before Press Council of India, Advertisement Standards Council of India and under Cable TV Net Works Regulation Act. Discuss the liability.
2. Which law has created a new offence relating to “Misbranded food”? What punishments are prescribed? Explain with examples.
3. What are the laws that can protect a consumer from false, deceptive or misleading advertisement?
4. Whether any company can freely indulge in Commercial Speech in the form of Advertisement? Whether scope of freedom of commercial speech is lesser or larger than political speech? Explain with case law.
5. Whether MTNL has copyright or any other IPR in the Telephone directory? Explain the Supreme Court judgment in Tata Yellow Pages case and its relevance to present day advertisement rights?
6. Government of Andheri issued a GO not to issue Advertisements of Government notifications to Witness newspaper which belonged leader of opposition party which ran a high level campaign against the Government. The Opposition Leader and Chairman of Witness daily newspaper filed a writ petition before Andheri High court challenging the GO. Counsel for Andheri state argued that Witness has no right to seek Government Advertisements. Discuss
7. What are various kinds of restrictions on Advertisements under different enactments?
8. Write Short Notes on any two:
 - a) Drugs and Magic Remedies Act, 1954.
 - b) Drugs and Cosmetics Act, 1940
 - c) Advertisement by Heart Specialist Doctor