

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

**2014 – 2015**

**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 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. Messer's Andrew Company commissioned a TV commercial with Messer's Brown Company for its new baby soap. Company Brown made an ad-film showing a dark complexioned baby being insulted for her colour because she was not using the soap made by Andrew Company. An NGO called 'Society against racism' sued Company Brown for defamation. The Company Brown argued that it just complied with the need and demand of Company Andrew under a contract and hence not liable for tort of defamation. Who is liable and why? Explain the essential components of tort of defamation.
2. What is "Misbranded food" and which enactment defined it as an offence?
3. Whether Advertisement is part of freedom of speech, when money is exchanged for that expression? How the Supreme Court explained the constitutional foundation of advertisement related expression?
4. Explain the Supreme Court judgment in Tata Yellow Pages case and its relevance to present day advertisement rights?
5. Explain the ratio of Andhra Pradesh High Court Judgment in Eenadu Case regarding right to advertisements from Government.
6. What are the salient features of Food Safety and Standards Act as far as advertisements are concerned.
7. Explain the offences under Drugs and Cosmetics Act, 1940 and Drugs and Magic Remedies Act, 1954.
8. Write Short Notes on any two:
  - a. Surrogate advertisements
  - b. Professional advertisement by doctors
  - c. Advertisement Standards Council of India