

**DIRECTORATE OF DISTANCE EDUCATION
NALSAR UNIVERSITY OF LAW, HYDERABAD**

Post-Graduate Diploma in Media Laws (Batch 2020 – 2021)

Take Home – Annual Examination (June, 2021))

Paper II – 1.2. Media and the Law

TOTAL MARKS: 100

INSTRUCTIONS TO CANDIDATES

- a) Read the instructions for Take Home Examination carefully and adhere to the same.
 - b) *Please mention your name, ID No., subject name and total number of pages on the Answer Sheet.*
 - c) *Clearly indicate the question numbers while answering them.*
 - d) *Answer ten questions and each question carries 10 marks.*
 - e) ***Every answer should be strictly within 500 words only. Exceeding the word limit can get you '0' marks.***
 - f) ***Since this is a take home exam, we expect your answers to be analytical rather than straight answers.***
 - g) ***Cut and paste of any material either from reading material or from the internet will result in rejection of answer-sheets, which means a failure with zero marks. No plagiarism.***
 - h) ***If the answer of two students is similar, it will be presumed that both the students consulted each other and two answer sheets will be cancelled***
 - i) Copying from any source including from other students is strictly prohibited. Plagiarism is considered as a serious academic mis-conduct and the University will take action as it deems fit.
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Part I Problem based question

Read this paragraph:

George was arrested and placed under detention as per Maintenance of Internal Security Act 1971 and kept in jail. Another lady detinue Rose was reportedly conceived and pregnancy was terminated. In-house enquiry substantiated the illicit relations among detenuess both male and female who were supposed to be kept in separate cells but kept in same cells. A tabloid newspaper published this sensational story with names of man and lady and their relationship in jail. George filed criminal defamation complaint.

In the context of above facts, answer the questions below with reference to case law:

1. Newspaper pleaded that Jail authorities and Government refused to furnish a copy of enquiry report which could have proved that the allegation was truth, which is a defence available to news weekly. Is this plea tenable?
2. Is there any public interest in it? Do you think newspaper defamed the lady?
3. Which of the exceptions are helpful to the newspaper in this case?



"May I remind the jury a guilty verdict for my client will trigger defamation of character lawsuits."

Answer the following questions:

4. If jury gives guilty verdict, can convict complain of defamation both criminal or civil? Explain why?
5. Whether a jury member becomes liable for payment of damages for holding a person guilty of crime he is charged?
6. Whether the cartoonist has committed any contempt of court by the above cartoon? Or can Cartoonist, his employer and publisher be sued for defamation?

Part III : Analytical Questions based on reading material

Read the material Module 1.2 First Chapter and answer the following questions.

7. Is sedition a reasonable or unreasonable restriction on freedom of speech & expression?
8. Refer to two recent judgements of the SC on sedition and explain their conclusions.
9. Whether Cinematography Act is essential, and the censorship should be further strengthened? Explain your answer whether no or yes with reasons and decided case law.

Read First Two Chapters of Module 1.2 from pages 5 to 91, and answer the following questions:

10. An NGO complained to Election Commission alleging that a central minister delivered hate speech, and in response to it, a minister and sitting MLA contesting again made another hate speech. He requested to countermand the poll. Assume that two ministers filed a defamation case against the NGO and newspaper that published their representation to EC. Is it defamation? Why not, if no and why if it is so?