

**GUJARAT NATIONAL LAW UNIVERSITY
SILVASSA CAMPUS**

**Course: Media and Telecommunication Laws
Semester- I (Batch: 2024-25)**

End Semester Examination: Oct 2024 (LL M)

Date: 27th Oct, 2024

Duration: 3 hours

Max. Marks: 50

Instructions:

- Read the questions properly and write the answers in the given answer book.
- Do not write anything on the question paper.
- The respective marks for each question are indicated in-line.
- Indicate correct question numbers in front of the answer.
- No questions or clarification can be sought during the exam period, answer as it is, giving reason, if any.
- Word Limit: 10 Marks: 800 Words, 5 Marks: 400 Words

Part A

Answer any three of the following questions.

- | | | Marks |
|-----|---|--------------|
| Q.1 | If all mankind minus one were of one opinion, and only one person were of the contrary opinion, mankind would be no more justified in silencing that one person, than he, if he had the power, would be justified in silencing mankind.

In <i>On Liberty of Thought and Discussion</i> , John Stuart Mill relied on four distinct grounds whilst advocating for absolute freedom of speech and expression. Analyse Mill's arguments with befitting illustrations. How does one balance the freedom of speech and expression with the growing menace of fake news? | (8 + 2) |
| Q.2 | There are only two industries that call their customers 'users': illegal drugs and software.
- Edward Tufte

Jeff Orlowski's docudrama <i>The Social Dilemma</i> highlights the potential harms of social media, referring to legal issues surrounding data privacy, social media addiction, content moderation, political disinformation campaigns and much more. Identify and discuss any four key issues that caught your attention. Give illustrations. | (10) |
| Q.3 | The Freedom of Speech and Expression guaranteed under Article 19(1)(a) of the Indian Constitution is a dynamic concept that has evolved with time and technological advancement. The Supreme Court has given it a wide connotation and therefore, many rights not expressly mentioned in plain words have been consequently recognised through court judgments.
For example, the courts have held on multiple occasions that freedom of speech and expression are the foundation of all democratic organizations and are essential for the proper functioning of the processes of democracy. Freedom of speech is ensured by the freedom of circulation. Indeed, without circulation the publication would be of little value. Freedom of speech and expression includes freedom of propagation of ideas and that this freedom is ensured by the freedom of circulation.

(a) Discuss the development of the Right to Circulate under Article 19(1)(a) with reference to principles laid down by the Supreme Court of India in any two landmark judgments.
(b) Briefly explain any three other facets of freedom of speech and expression that have evolved under Article 19(1)(a) of the Indian Constitution, citing relevant case law(s). | (4 + 6) |

- Q.4 In recent times, the Supreme Court of India reaffirmed the importance of responsible journalism while emphasizing that freedom of the press is a cornerstone of democratic society. The court highlighted that while press freedom must be protected, it also comes with the obligation to ensure accuracy, fairness, and adherence to ethical standards. This decision has reignited the debate on whether self-regulation in the media sufficiently balances these responsibilities. (5 + 5)
- (a) Critically evaluate the role of self-regulation in media as a safeguard for freedom of speech and its potential to shield unethical journalism.
- (b) Discuss five key principles of journalism, including important aspects outlined in the Press Council of India (PCI) Code of Ethics.

Part B

Answer any two of the following questions.

- Q.5 Peter Weir's *The Truman Show* depicts the story of a man who is unaware that he is living his entire life on a colossal soundstage, and that it is being filmed and broadcast as a reality television show which has a huge international following. The acclaimed movie touches upon many themes such as surveillance, parenting, destabilisation of identity, voyeurism, hyperreality, media entertainment, etc. In the movie, Marlon says, "It's all true. It's all real. Nothing here is fake. Nothing you see on this show is fake. It's merely controlled." (05) **Marks**

Analyse any two key themes of the film, drawing parallels with the global rise in popularity of Reality TV in recent times.

- Q.6 The mass media serve as a system for communicating messages and symbols to the general populace. It is their function to amuse, entertain, and inform, and to inculcate individuals with the values, beliefs, and codes of behavior that will integrate them into the institutional structures of the larger society. In a world of concentrated wealth and major conflicts of class interest, to fulfil this role requires systematic propaganda. (05)

What are the five filters of the Propaganda model postulated by Noam Chomsky and Edward S. Herman in *Manufacturing Consent: The Political Economy of the Mass Media*?

- Q.7 I would rather have a completely free press with all the dangers involved in the wrong use of that freedom than a suppressed and regulated press. – Pt. Jawaharlal Nehru (05)

In light of the above mentioned statement, discuss the concept of Trial by Media, referring to relevant case laws and examples.

Part C

- Q.8 Write a short note on any two of the following: (5 + 5) **Marks**
- (a) Indian Media and 2024 General Elections
- (b) Criteria of Hate Speech in 267th Law Commission Report (2017)
- (c) Media Ownership Patterns
