

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

One-Year Advanced Diploma in Media Laws (2021-2022)

Take Home - Annual Examination (June, 2022)

Paper 1.4. Electronic Media & Regulatory Law

Total Marks: 100

INSTRUCTIONS TO CANDIDATES

- a) Read the instructions for this '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) This paper consists of four questions, each carrying 25 marks.**
 - e) Each answer should not exceed 800 words. Exceeding the word limit will be penalised.**
 - f) Since this is a 'Take Home Examination', we expect your answers to have an analytical character rather than merely repeating facts or mechanically citing extracts from the reading material.
 - g) Copying from any external source, whether in print or on the internet, or copying from other students is strictly prohibited. Plagiarism is considered as serious academic misconduct and will lead to marking down of answers or even the non-evaluation of answers if there is substantial copying.
 - h) All the candidates are required to submit only word / Pdf files containing the typed answers.
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Q.1. The term 'New Media' is often used to refer to multiple social functions such as the dissemination of Information, Communication and Entertainment (ICE). This term has become increasingly important with the growing use of smartphones as the primary means for accessing news content, specialised knowledge, educational material, keeping in touch with family and friends and also for watching content that was originally developed for Television, Cinema and Theaters. In essence, the easier access to internet services has changed the way in which we consume different forms of content. How do you think that the emergence of 'New Media' has changed our behaviour as readers, viewers and listeners? What are the stark differences in our patterns of consumption of content online when compared to traditional media such as newspapers, radio and television? Have these changes also forced content creators such as news organisations, film producers, educational institutions, musicians, artists and writers to change the way in which they approach their work?

(25 marks, 700-800 words)

Q.2. One of the presumptive benefits of the traditional newspapers was that they were subject to tight editorial controls and the content that was published in the leading dailies tended to reflect moderate views. However, with the growth of 24/7 TV News Channels and news platforms on the internet, the emphasis is now on continuously publishing content, often with the goal of sensationalising matters so as to attract more viewers and readers. The goal seems to be to attract more advertising and

subscriptions based on the size of the viewership or readership. So much so that even traditional newspapers have been forced to start online editions. Of late, even the most well regarded newspapers such as The Indian Express and The Hindu have had to put their content behind 'paywalls', where only fee-paying subscribers are given full access to the content.

In your mind what are the main ethical and legal problems that have arisen with these changes in the nature of the news market? How do we respond to the replacement of tight editorial controls with the market-driven need to constantly publish 'Breaking News' items? In what way does this undermine the 'truth-seeking' functions of news-gathering and publishing? What are the dangers of quality journalism going behind 'paywalls' even as disinformation and fake news is freely circulated online?

(25 marks, 700-800 words)

Q.3. The circulation of fake news and hate speech through messaging platforms such as 'WhatsApp' have led to law and order problems on many occasions. For instance, there have been several cases in the last few years where WhatsApp messages have been used to mobilize mobs that went ahead and lynched persons belonging to the religious minorities, merely on the suspicion of smuggling cattle for slaughter. In such cases of mob violence, it becomes difficult for the police and other investigative agencies to accurately identify the original sources of the fake news items or hate speech that triggered such violent actions. This problem is amplified by the fact that messaging platforms such as 'WhatsApp' offer encryption to their users so as to protect their confidentiality.

Are the existing provisions of the Information Technology Act, 2000 sufficient to handle such cases? What are the legal principles and strategies that the investigative agencies can use to place responsibility on the wrongdoers? In cases of mob violence lynching, should the messaging platforms also be held liable?

(25 marks, 700-800 words)

Q.4. As most of us frequently use the internet for reading the news, acquiring specialist knowledge, for entertainment or even for e-commerce, a large amount of our personal data is captured by the online service-providers. For instances, companies such as Amazon, Uber, Netflix or Zomato to name a few, have become large data aggregators, both on a national and global scale. The data collected by them is then strategically used to create targeted advertising and customised services, mostly to further expand their market size. Such personal data collected from users can also be shared with external websites and can be easily misused. To take a specific example, most of us face the nuisance of receiving unsolicited emails and phone calls from a range of service-providers who accessed our personal data from other sources.

In this context, how do you visualize the implications of such large-scale data aggregation and its use in the digital economy? Is there a need for a particular law on data protection? Briefly comment on the Personal Data Protection Bill that was tabled by the Ministry of Communications and Information Technology (MEITY)?

(25 marks, 700-800 words)
