

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

Advanced Diploma in Media Laws

P.G. Diploma in Media Laws

Academic Year: 2022-2023

Annual Examination (June, 2023)

Paper III – 1.3. Advertisement and the Law

Duration of the Examination : 3 hours

TOTAL MARKS: 100

INSTRUCTIONS TO CANDIDATES

- a) Read the instructions carefully and adhere to the same.
 - b) Please mention your DDE ID No., date of the exam, name of the programme & subject on the Answer Sheet and the Additional Answer Sheets, if any.
 - c) The questions to be interpreted as given and no clarification can be sought from the Invigilator.
 - d) Clearly indicate the question numbers while answering them. Answers without question numbers / wrong question numbers will not be evaluated.
 - e) Write the answers clearly and neatly. Answers in illegible handwriting will not be taken into consideration.
 - f) This paper consists of four questions, each carrying 25 marks. Each answer can be in the range of 400-500 words.
 - g) This is an open-book exam, implying that candidates can carry the prescribed reading materials as well as their own notes into the Examination Hall. Answers should have an analytical character rather than merely repeating facts or mechanically citing extracts from the reading material.
 - h) Candidates are prohibited to carry phones or any other electronic devices etc. in the Examination Hall.
 - i) Copying is strictly prohibited and is considered as a serious academic mis-conduct and the University will take action as it deems fit.
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Q.1. We are all witnessing the phenomenon of search-linked advertising as we browse through content on the internet. As we navigate through different websites, data gathered from our searches is analyzed by algorithms to generate targeted advertisements as well as prompts to browse further content. The best example is the content that is generated as a result of searches on the 'Google' search engine. How do these practices alter the behaviour of internet users in the long-run? What could be some of the legal and regulatory strategies that can be tried to ensure that internet users get exposed to a genuine diversity of content, especially when it comes to advertisements for goods and services?

(25 marks, 400-500 words)

Q.2. During the COVID-19 pandemic, there was a deluge of advertisements for insurance policies, especially those encouraging readers, listeners and viewers to opt for Life Insurance and Medical Insurance Plans. Under ordinary circumstances, the decision to opt for an insurance policy is a private choice of a commercial nature. However, did the prolonged public health crisis warrant a different approach, possibly to tightly regulate such advertising? How would you have acted if you were a member of the Advertising Standards Council of India (ASCI) which had received complaints about the excessive and repetitive advertising of insurance products?

(25 marks, 400-500 words)

Q.3. Several private coaching services have established a practice of publicizing the names of their students who perform well in competitive entrance examinations. This practice is quite prominent after the publication of results for entrance examinations such as NEET, IIT-JEE, CAT and CLAT to name a few. In some instances, it is found that multiple coaching services claim to have tutored the same candidates who have secured high-ranks in these examinations. What could be the legal remedies that can be used against such misleading advertisements? Would you support the calls for prohibiting such forms of advertising since they create unrealistic expectations among applicants and their families?

(25 marks, 400-500 words)

Q.4. During the recently concluded Indian Premier League (IPL), some reputed former cricketers such as Kapil Dev and Sunil Gavaskar faced criticisms for appearing in a 'surrogate advertisement' for a Pan Masala Brand. The phenomenon of 'surrogate advertising' is of course much older and it is prominently used by brands engaged in the liquor and tobacco business. How would you appraise the existing legal position in respect of holding celebrities responsible for the indirect endorsement of potentially harmful products?

(25 marks, 400-500 words)
