

**HAMDARD INSTITUTE OF LEGAL STUDIES & RESEARCH
SCHOOL OF LAW
JAMIA HAMDARD, NEW DELHI - 110062
LLM 3rd Semester January 2024
Media Law and Censorship**

Time: 3 Hours

Maximum Marks: 60

Write your Roll No. on the top immediately on receipt of this question paper. Attempt five questions selecting one from each unit. Each question carries twelve marks.

UNIT-I

1. Discuss the constitutional framework of freedom of speech and expression in India. How did the First Amendment to the Constitution of India impact the jurisprudence of free speech?

OR

2. Discuss the following:
A.) Chilling Effect
B.) Heckler's Veto

UNIT-II

3. How have the Courts defined the "public order" restriction to free speech over the years? Discuss this, particularly about *Romesh Thappar* and *Brij Bhushan*.

OR

4. People holding enormous political and economic power use "defamation" to put restraints on matters of public importance by getting injunction decrees and demanding damages from the respondents, usually media personnel engaged in investigative journalism. Discuss with reference to case laws.

UNIT-III

5. C. Edwin Baker, a leading scholar of free speech, demanded placing individual dignity as the ultimate value justifying the protection of expressive conduct. How did Baker lay his theoretical justifications for the idea of "media democracy" as encompassing both political and economic democracy?

OR

6. Free Speech today needs an infrastructure, which means access to gatekeepers who control or mediate the infrastructure, making the idea of free speech itself inextricably linked to socioeconomic justice, as discussed in *Sakal Papers*. Discuss. How did the Court in *Secy, MoI and Broadcasting v. Cricket Association of Bengal* (1995) link free speech and economy, thereby distinguishing print and broadcast media as well?

UNIT-IV

7. Social media, which was supposed to be a democratic space, has led to violence against women and other vulnerable groups, including political minorities. What has been the role of the social media infrastructures while the campaigns of hate speech have thrived? Discuss with examples.

OR

8. The courts in India, while deciding hate speech cases, often end up resolving contentious historical issues and determining the extent of hate speech based on “offended constituencies” rather than ruling on the curtailment of hate speech itself. Discuss the Supreme Court of India’s “hate speech” jurisprudence.

UNIT-V

9. Media often acts as an arm of the state. It endorses the policies of the state and endorses neoliberal and capitalistic policies. Discuss with examples.

OR

10. The so-called mainstream media often normalizes grave errors and manufactures a “normal” to give precedence to the state’s narrative rather than the voice of the people, leading to the corruption of the media. Discuss with examples.