


Name:			
Enrolment No:			
UPES End Semester Examination, May 2023			
Course: IT Governance and Law (Hons 1) Program: B. Tech. (CSE) LL.B (Cyber Law) Course Code: CLCB3001		Semester: VI Time: 03 hrs. Max. Marks: 100	
Instructions: <i>Read questions carefully.</i> <i>Word limit is not stated as a conscious choice, kindly adhere to the scope of question while attempting.</i>			
SECTION A (5Qx2M=10Marks)			
S. No.		Marks	CO
Q 1	Why 17 th May is celebrated as World Telecommunication and Information Society day?	2	CO1
Q 2	Write a short note on the development of electric telegraph in USA.	2	CO1
Q 3	Which was the first Information technology based law in India?	2	CO1
Q 4	Define doctrine of 'Safe Harbour'?	2	CO1
Q5	Which is the most recent legislative endeavor concerning online gaming in India	2	CO1
SECTION B (4Qx5M= 20 Marks)			
Q 1	Why there was a compelling need to have telecommunication laws in the context of International legal framework	5	CO2
Q2	Explain events leading to Kingsbury Commitment and its significance in the Information technology governance in United States	5	CO2
Q3	Describe the limitations of IT Act, 2000	5	CO2
Q4	Explain the constitution of Cyber Appellate Tribunal as established under IT Act 2000	5	CO3
SECTION-C (2Qx10M=20 Marks)			
Q 1	Explain fairness doctrine in the context of American radio-broadcasting industry and comment whether such doctrinal test can be applied to Indian context in the wake of increasing false news and digital dissemination. Apply using relevant examples.	10	CO3
Q 2	Describe five important provisions of Indian Telegraph Act, 1885 using relevant case laws.	10	CO2

SECTION-D
(2Qx25M=50 Marks)

Q1	<p>IT Act 2000 is often critiqued for failing to meet the challenges of emerging digital India especially in the context of new forms of cybercrimes.</p> <p>Ministry of Electronics and Information Technology (MEITY) proposed Digital India Act, 2023 to replace the IT Act so that the legal framework governing IT responds to contemporary challenges and issues.</p> <p>In the context of above, write a brief essay on proposed Digital India Act 2023 and critically analyse the provisions especially in the light of below issues:</p> <ul style="list-style-type: none">➤ Ensuring Online safety and trust➤ False Information➤ Regulating Artificial Intelligence➤ Regulation for privacy invasive devices➤ Enabling an open internet	25	CO3
Q2	<p>Legal News Media Pvt. Ltd., owns and operates the legal news portal, and courtroom live update service, <i>Legalnews.in</i>.</p> <p>They filed a writ petition in the Kerala High Court under Article 226 of the Constitution challenging the constitutionality of Intermediary Rules 2021 (hereinafter referred to as 'rules'). The petitioner raised the following three grounds.</p> <ul style="list-style-type: none">➤ The Intermediary Rules 2021 are <i>ultra vires</i> the IT Act;➤ The rules overrule the effect of the judgment of the Supreme Court in Shreya Singhal v Union of India which provided immunity to intermediaries and laid down the procedure in respect of 'content takedown' orders; and➤ The Rules violate the fundamental rights such as freedom of speech, expression and access to information under Article 19(1)(a); freedom of profession, business, trade and occupation under Article 19(1)(g); and violate the fundamental right to privacy under Article 21 of the Constitution. <p>You are Respondents' counsel in the above writ petition. Apply the existing IT governance legal framework and constitutional structures to prepare the response to grounds raised by petitioner. (Your argument should respond to each ground raised by Petitioner)</p>	25	CO4