


Name:			
Enrolment No:			
<b>UPES</b> <b>End Semester Examination, May 2023</b>			
<b>Course: Law of Telecommunications (Hons 6)</b> <b>Program: B.Tech, LL.B</b> <b>Course Code: CLCB5011</b>		<b>Semester: X</b> <b>Time: 03 hrs.</b> <b>Max. Marks: 100</b>	
<b>Instructions:</b> Attempt all the questions.			
<b>SECTION A</b> <b>(5Qx2M=10Marks)</b>			
S. No.		Marks	CO
Q 1	Differentiate between 'Public and Private Broadcasting'.	2	CO1
Q 2	What is 'Unified Access Service License'.	2	CO1
Q 3	Define 'Machine-to-Machine'.	2	CO1
Q 4	Highlight the objective of 'International Telecommunication Union'.	2	CO1
Q 5	Define 'Nagar Net'.	2	CO1
<b>SECTION B</b> <b>(4Qx5M= 20 Marks)</b>			
Q 6	Discuss important aspects of 'Net Neutrality'.	5	CO2
Q 7	Write a short note on "Advertising Code".	5	CO2
Q 8	Explain the role of WTO in the telecom services.	5	CO2
Q 9	Discuss the salient features of National Digital Communications Policy, 2018.	5	CO2
<b>SECTION-C</b> <b>(2Qx10M=20 Marks)</b>			
Q 10	<p>“Adjusted Gross Revenue (AGR) has been a controversial subject in the telecom industry. The dispute between telecom operators and the Department of Telecommunications (DoT) has significantly reduced the sector’s ability to invest in new technologies and infrastructure while putting a strain on its finances.” In the light of ‘<i>Union of India v. Association of Unified Telecom Service Providers of India</i>’, (2019), evaluate the above statement.</p>	10	CO3

Q 11	<p><i>“Program is insidious and casts aspersions on a particular community’s candidates who go through the same examinations and get interviewed by the same panel.”</i></p> <p style="text-align: right;">-Justice D Y Chandrachud</p> <p>The above-mentioned statement is the remark by Hon’ble justice D Y Chandrachud in a recent case relating to a program aired on cable Television. Analyze the statement and the case in the light of the provisions of Cable Television Networks Regulation Act, 1995 and the Programme Code.</p>	<b>10</b>	<b>CO3</b>
<b>SECTION-D</b> <b>(2Qx25M=50 Marks)</b>			
Q 12	<p>‘Ideatel’ Services Ltd. terminated a customer's service contract. The customer, ‘Citadel’ had entered into a three-year service contract with Ideatel Services for providing: 1) High-speed internet services and 2) Cloud Storage. The contract was signed in 2022 and was set to expire in 2024.</p> <p>However, in 2023, the service contract was terminated by Ideatel citing a breach of contract. It was claimed that ‘Citadel’ had violated the terms of the contract by using the internet service for illegal activities, such as downloading copyrighted content without permission and storing obscene and gory images in cloud storage.</p> <p>Citadel filed a suit for breach of contract and violation of its rights under the Indian Telegraph Act, 1885 and the Information Technology Act, 2000.</p> <p>1. Is the termination of the service contract in compliance with the provisions of the Indian Telegraph Act, 1885 and the Information Technology Act, 2000? Answer with reasons.</p>	<b>25</b>	<b>CO4</b>

	<p>2. In your opinion, what remedies are available if it is proven that Citadel has breached the service contract or violated its legal rights under the Indian Telecommunication laws?</p>		
<p>Q 13</p>	<p>In the year 2007-08, Mr. A. R. (the Minister of Telecommunication) and Ms. K were responsible for allocating as many as 150 licences of 2G spectrum in the year 2007 with the fixed price option. The Minister made a condition which favoured some telecom companies like Swan Telecom, Unitor, etc. He sold the licence at a very low price and without any rules and regulations. At the time of the deadline for application Mr. A.R. reduced the deadline for receiving applications for spectrum, because of which many companies could not apply. So, he followed the policy of First Come First Serve (FCFS). Ultimately, it was found the spectrum was allocated to Mr. A.R. and Ms. K's known group of friends and relatives. It was also revealed that Law &amp; Finance Ministry, Telecom Regulator Authority, and none of the other concerned authorities were consulted.</p> <p>In the light of the above facts, answer the following questions:</p> <p>a) On what grounds the grant of Unified Access Service (UAS) licenses by the Department of Telecommunication (DoT) from 2007-08 under the orders of Mr. A.R. and Ms. K to some of the applicants is ultra vires and vitiated for arbitrariness and malafides?</p> <p>b) Imagine you are one of the ineligible applicants to whom a license has been granted. As a result, your license has been quashed. What are the remedies you can avail yourself?</p>	<p>25</p>	<p>CO4</p>