



The Contempt of Courts Act, 1971

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The Contempt of Courts Act, 1971¹

[Act 70 of 1971]

[24th December, 1971]

An Act to define and limit the powers of certain courts in punishing contempts of courts and to regulate their procedure in relation thereto

Be it enacted by Parliament in the Twenty-second Year of the Republic of India as follows:—

Statement of Objects and Reasons.—It is generally felt that the existing law relating to contempt of Courts is somewhat uncertain, undefined and unsatisfactory. The jurisdiction to punish for contempt touches upon two important fundamental rights of the citizen, namely, the right to personal liberty and the right to freedom of expression. It was, therefore, considered advisable to have the entire law on the subject scrutinised by a special committee. In pursuance of this, a Committee was set up in 1961 under the Chairmanship of the late Shri H. N. Sanyal the then Additional Solicitor General. The Committee made a comprehensive examination of the law and problems relating to contempt of Court in the light of the position obtaining in our own country and various foreign countries. The recommendations which the Committee made took note of the importance given to freedom of speech in the Constitution and of the need for safeguarding the status and dignity of Courts and interests of administration of justice.

2. The recommendations of the Committee have been generally accepted by Government after considering the views expressed on those recommendations by the State Governments, Union Territory Administrations the Supreme Court, the High Courts and the Judicial Commissioners. The Bill seeks to give effect to the accepted recommendations of the Sanyal Committee.

3. The notes on clauses explain in detail the provisions of the Bill.

Statement of Objects and Reasons of Amending Act 45 of 1976.—Sub-section (1) of Section 15 of the Contempt of Courts Act, 1971 (70 of 1971) provides that in the case of a criminal contempt (other than a contempt referred to in Section 14) the Supreme Court or the High Court may take action on its own motion or on a motion made by (a) the Advocate-General, or (b) any other person with the consent in writing of the Advocate-General. In the light of the Explanation to Section 15, the expression "Advocate-General" means—

- (a) in relation to the Supreme Court, the Attorney-General or the Solicitor-General.
- (b) in relation to the High Court, the Advocate-General of the State or any of the States for which the High Court has been established, and
- (c) in relation to the Court of a Judicial Commissioner, such Law Officer as the Central Government may by notification in the Official Gazette, specify in this behalf.

2. Union territory of Delhi is unique in that it has its own High Court. There is, however, no Advocate-General in relation to that High Court. In the case of any criminal contempt of a subordinate Court in a Union territory sub-section (2) of Section 15 enables any Law Officer specified by the Central Government to make a motion to the High Court for taking necessary action. But there is no such corresponding provision in the case of any criminal contempt of the High Court in a Union territory. The High Court has, therefore, to keep a watch and take action on its own motion in all such cases.

1. *Vide*, Gazette of India, Extra., Pt. II, S. 1, dt. December 24, 1971.

3. To avoid practical difficulties it is necessary to amend sub-section (1) of Section 15 of the Act so as to enable the High Court of Delhi to take action on criminal contempts as referred to in that sub-section on a motion made by such Law Officer as may be notified by the Central Government or by any other person with the consent of that Law Officer.

The Bill seeks to achieve the above objects.

CASE LAW ▶ Test of reasonableness.—The test of reasonableness wherever prescribed should be applied to each individual statute impugned and no abstract standard or general pattern of reasonableness can be laid down as applicable to all cases. The nature of the right alleged to have been infringed, the underlying purpose of the restrictions imposed, the extent and urgency of the evil sought to be remedied thereby, the disproportion of the imposition, the prevailing conditions at the time, should all enter into the judicial verdict, *State of Madras v. V.G. Row*, (1952) 1 SCC 410.

▶ **Freedom of speech.**—Imposition of pre-censorship on a journal restricts freedom of speech guaranteed by the Constitution, *Brij Bhushan v. State of Delhi*, 1950 SCC 449.

1. Short title and extent.—(1) This Act may be called the Contempt of Courts Act, 1971.

(2) It extends to the whole of India:

²[* * *]

CASE LAW ▶ Freedom of speech.—Article 19, no doubt, confers right on the Press, but there is no right to scandalise. Even otherwise, that right under Article 19 is subject to provisions of law and the Contempt of Courts Act is one such legislation, which controls the right, *Harish Mahadeo Pimpalkhute v. Bal Thackeray*, 1997 SCC OnLine Bom 67.

2. Definitions.—In this Act, unless the context otherwise requires,—

(a) “contempt of court” means civil contempt or criminal contempt;

CASE LAW ▶ Contempt of court.—Contempt of court is a serious matter and a High Court should be chary of finding a judicial officer guilty of contempt of court for disobeying its orders unless there is unimpeachable evidence that the judicial officer had knowledge of the order of the High Court, *Bunna Prasad v. State of U.P.*, 1968 SCC OnLine SC 64.

Press release made by Chief Minister of Karnataka, in respect of matter pending in Supreme Court, in violation of the restraint order issued by the Court, prima facie amounted to contempt of the Supreme Court, *State of Karnataka v. State of A.P.*, (2000) 10 SCC 607.

▶ **Nature and Scope of contempt proceedings.**—Contempt proceedings are quasi-criminal in nature. Standard proof, applicable is therefore that of proof beyond reasonable doubt, *R.S. Sehrawat v. Rajeev Malhotra*, (2018) 10 SCC 574.

▶ **Contempt jurisdiction of Supreme Court and High Court.**—Contempt jurisdiction is inherent power of Supreme Court and High Courts and cannot be taken away by any legislation. Contempt jurisdiction is also subject to some discipline. Judges are conscious of fact that said power should be exercised with

2. Omitted by Act 34 of 2019, Ss. 95, 96 and Sch. V (w.e.f. 31-10-2019). Prior to omission it read as:
“Provided that it shall not apply to the State of Jammu and Kashmir except to the extent to which the provisions of this Act relate to contempt of the Supreme Court.”

meticulous care and caution and only under absolutely compelling circumstances. Interference with the due course of any judicial proceeding is another facet of criminal contempt, *C.S. Karnan, In re*, (2017) 7 SCC 1.

► **Object of contempt proceedings.**—The object of contempt proceedings is not to afford protection to judges personally from imputations to which they may be exposed as individuals; it is intended to be a protection to the public whose interests would be very much affected if by the act or conduct of any party, the authority of the Court is lowered and the sense of confidence which people have in the administration of justice by it is weakened, *Brahma Prakash Sharma v. State of U.P.*, (1953) 1 SCC 813.

► **Power to punish for contempt.**—The power to punish for contempt is to be sparingly used and should be used only for protecting the interest of administration of justice, *Bathina Ramakrishna Reddy v. State of Madras*, (1952) 1 SCC 154.

► **Nature of proceedings.**—The proceedings in the contempt are *quasi-criminal* in nature. The law of contempt has to be strictly interpreted and the requirements of that law must be strictly complied with before any person can be committed for contempt, *Rosnan Sam Boyce v. B.R. Cotton Mills Ltd.*, (1990) 2 SCC 636.

► **Intention of the contemner.**—As intention of the contemner to cause those consequences is not a necessary ingredient of contempt of court and it is enough to show that this act was calculated to obstruct or interfere with the due course of justice and administration of law, *Sammahu Nath Jha v. Kedar Prasad Sinha*, (1972) 1 SCC 573, 577 : 1972 SCC (Cri) 337.

► **Absence of precedent.**—The absence of a precedent should not preclude an act being held to be contempt of court, *Baradakanta Mishra, Ex-Commissioner of Endowments v. Bhimsen Dixit*, (1973) 1 SCC 446, 449 : 1973 SCC (Cri) 360.

► **Reporting of the judicial proceedings.**—Reporting of the judicial proceedings, orders and judgment has to be fair and accurate, *Shiv Shankar Bansal v. Hakim Singh*, 2002 SCC OnLine MP 501.

(b) “civil contempt” means wilful disobedience to any judgment, decree, direction, order, writ or other process of a court or wilful breach of an undertaking given to a court;

CASE LAW ► Contempt by Court.—Before a subordinate court can be found guilty disobeying the order of the superior court and thus to have committed contempt of court, it is necessary to show that the disobedience was intentional. There is no room for inferring an intention to disobey an order unless the person charged had knowledge of the order. If what a subordinate court has done is in utter ignorance of an order of a superior court, it would clearly not amount to a contempt of court at all, *B.K. Kar v. Chief Justice and Companion Justices of Orissa High Court*, 1961 SCC OnLine SC 11.

► **Nature of proceedings.**—The proceedings in the contempt are quasi-criminal in nature, *Rosnan Sam Boyce v. B.R. Cotton Mills Ltd.*, (1990) 2 SCC 636.

Nature of proceedings is not the same as execution proceedings, *Rama Narang v. Ramesh Narang*, (2021) 15 SCC 338.

► **Wilful disobedience.**—Failure to honour undertaking given to Court on the basis of which the matter was compromised and settled, held, amounts to civil contempt on showing of wilful disobedience of the order of the Court, *Pushpaben v. Narandas v. Badiani*, (1979) 2 SCC 394 : 1979 SCC (Cri) 511, See also



Urban Infrastructure Real Estate Fund v. Dharmesh S. Jain, (2022) 6 SCC 662 and *U.N. Bora v. Assam Roller Flour Mills Assn.*, (2022) 1 SCC 101.

Contempt of court is disobedience to the court, by acting in opposition to the authority, justice and dignity thereof. It signifies a wilful disregard or disobedience of the court's order, it also signifies such conduct as tends to bring the authority of the court and the administration of law into disrepute, *Baradakanta Mishra v. Bhimsen Dixit*, (1973) 1 SCC 446 : 1973 SCC (Cri) 360.

► **Interference with final and binding order of court.**—Courts including Supreme Court (smaller Bench) does not have jurisdiction or authority to interfere or relax the terms/conditions of final and binding orders of Supreme Court (larger Bench). Interference with such final and binding orders would amount to contempt of court, *Subrata Roy Sahara v. Union of India*, (2014) 8 SCC 470.

► **Civil contempt.**—Wilful breach of an undertaking given to a court, held, is a civil contempt. Public interest requires that solemn undertaking given to a court with intention of obtaining any benefit should not be breached wilfully, *Port of Mumbai v. Nikhil N. Gupta*, (2015) 10 SCC 139.

► **Punishment for Civil contempt.**—Imposition of punishment for contempt, on failure to avail opportunity for purging contempt. Offering of inadequate assets to satisfy amount awarded in foreign arbitral award is insufficient for purging contempt, *Daiichi Sankyo Co. Ltd. v. Oscar Investments Ltd.*, (2023) 7 SCC 641.

(c) “criminal contempt” means the publication (whether by words, spoken or written, or by signs, or by visible representations, or otherwise) of any matter or the doing of any other act whatsoever which—

- (i) scandalises or tends to scandalise, or lowers or tends to lower the authority of any court; or
- (ii) prejudices, or interferes or tends to interfere with, the due course of any judicial proceeding; or
- (iii) interferes or tends to interfere with, or obstructs or tends to obstruct, the administration of justice in any other manner;

CASE LAW ► Criminal Contempt.—As regards Section 2(c) defining “Criminal Contempt” the terminology used in the definition is borrowed from the English Law of Contempt and embodies concepts which are familiar to that Law which, by and large, was applied in India. The expressions “scandalize”, “lowering the authority of the Court”, “interference”, “obstruction” and “administration of justice” have all gone into the legal currency of our subcontinent and have to be understood in the sense in which they have been so far understood by our Courts with the aid of the English Law, where necessary, *Baradakanta Mishra v. Registrar of Orissa High Court*, (1974) 1 SCC 374 : 1974 SCC (Cri) 128.

► **False or misleading statement.**—Deliberately and wilfully making a false or a misleading or a wrong statement by a party to the proceedings to obtain a favourable order would amount to ‘criminal contempt’, *Afzal v. State of Haryana*, (1996) 7 SCC 397, See also *Naraindas v. Govt. of M.P.*, (1975) 3 SCC 31 : 1974 SCC (Cri) 727.

► **Intention or motive.**—In a case of criminal contempt, intention or motive is not the criterion, they may be considered for a mitigation or aggravation of sentence as the case may be, *Delhi Development Authority v. Skipper Construction*, (1995) 3 SCC 507.

► **Test.**—The broad test to be applied in cases of criminal contempt is whether the act complained of was calculated to obstruct or had an intrinsic tendency to interfere with the course of justice and the due administration of law. The standard of proof required to establish a charge of “criminal contempt” is the same as in any other criminal proceeding, *S. Abdul Karim v. M.K. Prakash*, (1976) 1 SCC 975 : 1976 SCC (Cri) 217, See also *Baradakanta Mishra v. Registrar of Orissa High Court*, (1974) 1 SCC 374 : 1974 SCC (Cri) 128.

► **Attack on Judge.**—Scandalising the Court or Judge, undermining or tending to undermine people’s confidence in administration of justice and bringing or tending to bring the Court into disrepute or disrespect tantamount to criminal contempt, *D.C. Saxena (Dr) v. Hon’ble the Chief Justice of India*, (1996) 5 SCC 216, See also *Brahma Prakash Sharma v. State of U.P.*, (1953) 1 SCC 813.

► **Fair criticism of the judicial system.**—Reasonable and fair criticism of the judicial system and judges, not interfering with administration of justice and not bringing the administration of justice into disrepute, does not constitute criminal contempt, *P. N. Duda v. P. Shiv Shanker*, (1988) 3 SCC 167 : 1988 SCC (Cri) 589, See also *Hari Singh Nagra v. Kapil Sibal*, (2010) 7 SCC 502 : (2010) 3 SCC (Cri) 432.

► **Suo motu criminal contempt.**—Suo motu criminal contempt against sitting High Court Judge for scandalising court is maintainable. Individual’s identity is inconsequential in process of administration of justice. Court is expected to record its conclusions on merit, without fear or favour, affection or ill will, *C.S. Karnan, In re*, (2017) 7 SCC 1.

► **Contempt by advocates.**—There is no licence to any member of Bar to indulge in undignified conduct to lower down dignity of court. Such attempts deserve to be nipped at the earliest, *Rakesh Tiwari v. Chief Judicial Magistrate*, (2019) 6 SCC 465.

(d) “High Court” means the High Court for a State or a Union territory, and includes the court of the Judicial Commissioner in any Union territory.

3. Innocent publication and distribution of matter not contempt.—(1) A person shall not be guilty of contempt of court on the ground that he has published (whether by words, spoken or written, or by signs, or by visible representations, or otherwise) any matter which interferes or tends to interfere with, or obstructs or tends to obstruct, the course of justice in connection with any civil or criminal proceeding pending at the time of publication, if at that time he had no reasonable grounds for believing that the proceeding was pending.

(2) Notwithstanding anything to the contrary contained in this Act or any other law for the time being in force, the publication of any such matter as is mentioned in sub-section (1) in connection with any civil or criminal proceeding which is not pending at the time of publication shall not be deemed to constitute contempt of court.

(3) A person shall not be guilty of contempt of court on the ground that he has distributed a publication containing any such matter as is mentioned in sub-section (1), if at the time of distribution he had no reasonable grounds for believing that it contained or was likely to contain any such matter as aforesaid:

Provided that this sub-section shall not apply in respect of the distribution of—

- (i) any publication which is a book or paper printed or published otherwise than in conformity with the rules contained in Section 3 of the Press and Registration of Books Act, 1867 (25 of 1867);
- (ii) any publication which is a newspaper published otherwise than in conformity with the rules contained in Section 5 of the said Act.

Explanation.—For the purposes of this section, a judicial proceeding—

(a) is said to be pending—

(A) in the case of a civil proceeding, when it is instituted by the filing of a plaint or otherwise.

(B) in the case of a criminal proceeding under the Code of Criminal Procedure, 1898 (5 of 1898)³, or any other law—

(i) where it relates to the commission of an offence, when the charge-sheet or challan is filed, or when the court issues summons or warrant, as the case may be, against the accused, and

(ii) in any other case, when the court takes cognizance of the matter to which the proceeding relates, and

in the case of a civil or criminal proceeding, shall be deemed to continue to be pending until it is heard and finally decided, that is to say, in a case where an appeal or revision is competent, until the appeal or revision is heard and finally decided or, where no appeal or revision is preferred, until the period of limitation prescribed for such appeal or revision has expired;

(b) which has been heard and finally decided shall not be deemed to be pending merely by reason of the fact that proceedings for the execution of the decree, order or sentence passed therein are pending.

CASE LAW ► Telecast of sting operation.—Telecast of sting operation exposing collusion between defence counsel and prosecutor in respect of suborning of prosecution witness concerning proceedings pending in court does not amount to obstruction of course of justice. Sub-section (3) nor its proviso or Explanation attracted in this case, *R.K. Anand v. Delhi High Court*, (2009) 8 SCC 106.

► **Fair criticism of judicial system.**—Any episode in the administration of justice may, however, be publicly or privately criticised, provided that the criticism is fair and temperate and made in good faith. The absence of any intention to refer to a court is a material point in favour of a person alleged to be in contempt, *Thakur Jugal Kishore Sinha v. Sitamarhi Central Coop. Bank Ltd.*, 1967 SCC OnLine SC 604.

4. Fair and accurate report of judicial proceeding not contempt.—Subject to the provisions contained in Section 7, a person shall not be guilty of contempt of court for publishing a fair and accurate report of a judicial proceeding or any stage thereof.

CASE LAW ► Reporting of Court proceedings.—It is expected that trial by media does not hamper fair investigation by the investigating agency and more importantly does not prejudice the right of defence

3. See now Code of Criminal Procedure, 1973 (2 of 1974).

of the accused in any manner whatsoever. It will amount to travesty of justice if either of this causes impediments in the accepted judicious and fair investigation and trial, *Manu Sharma v. State (NCT of Delhi)*, (2010) 6 SCC 1 : (2010) 2 SCC (Cri) 1385.

Directions issued by Supreme Court regarding need for responsibility in reporting of court proceedings, *S. Khushboo v. Kanniammal*, (2010) 5 SCC 600 : (2010) 2 SCC (Cri) 1299.

► **Fair criticism.**—Before placing criticism of a judgment in public, all concerned in its publication have to see whether any such criticism has crossed limits of fair criticism, *Rajendra Sail v. M.P. High Court Bar Assn.*, (2005) 6 SCC 109 : 2005 SCC (Cri) 1401.

To ascertain the good faith and the public interest, the courts have to see all the surrounding circumstances including the person responsible for comments, his knowledge in the field regarding which the comments are made and the intended purpose sought to be achieved, *Rajendra Sail v. M.P. High Court Bar Assn.*, (2005) 6 SCC 109 : 2005 SCC (Cri) 1401.

► **Defamation of a Judge.**—A distinction must be made between a mere libel or defamation of a Judge and what amounts to a contempt of the court. The test in each case would be whether the impugned publication is a mere defamatory attack on the Judge or whether it is calculated to interfere with the due course of justice or the proper administration of law by his court. It is only in the latter case that it will be punishable as contempt, *Rajendra Sail v. M.P. High Court Bar Assn.*, (2005) 6 SCC 109 : 2005 SCC (Cri) 1401.

► **Public scandal.**—It would be an undue restriction on the liberty of speech to lay down that even before any arrest has been made there should be no comments on the facts of a particular case. In some cases, no doubt, especially in cases of public scandal regarding companies, it is the duty of a free press to comment on such topics so as to bring them to the attention of the public, *A.K. Gopalan v. Noordeen*, (1969) 2 SCC 734.

5. Fair criticism of judicial act not contempt.—A person shall not be guilty of contempt of court for publishing any fair comment on the merits of any case which has been heard and finally decided.

CASE LAW ► Object of the law of contempt.—Object of the law of contempt, is to effect sanctions for actions destroying the respect for law. Provision in Article 19(2) permitting reasonable restrictions in relation to contempt of court and provision in Contempt of Courts Act, 1971 empowering the Supreme Court and High Courts to award punishment for civil and criminal contempt, noticed, *J.R. Parashar v. Prasant Bhushan*, (2001) 6 SCC 735 : 2001 SCC (Cri) 1242.

► **Freedom of expression.**—Freedom of expression as contemplated by Article 19(1)(a) of the Constitution is available to the press and to criticise a judgment fairly albeit fiercely is no crime but a necessary right. A fair and reasonable criticism of a judgment which is a public document or which is a public act of a Judge concerned with administration of justice would not constitute contempt, *Hari Singh Nagra v. Kapil Sibal*, (2010) 7 SCC 502 : (2010) 3 SCC (Cri) 432, See also *Ajay Kumar Pandey, Advocate, In re*, (1998) 7 SCC 248.

► **Fair criticism of judicial acts and judgments.**—“Fair criticism” of judicial acts and judgments likely to interfere with due administration of justice or undermine confidence that public reposes in courts of law as courts of justice, ceases to be fair and reasonable criticism and amounts to criminal contempt of court, *Rajendra Sail v. M.P. High Court Bar Assn.*, (2005) 6 SCC 109 : 2005 SCC (Cri) 1401, See also *Arundhati Roy, In Re*, (2002) 3 SCC 343 and *Thakur Jugal Kishore Sinha v. Sitamarhi Central Coop. Bank Ltd.*, 1967 SCC OnLine SC 60.

► **Power and duty of courts.**—A question whether there is contempt of court or not is a serious one. The court is both the accuser as well as the judge of the accusation. The court has to act with great circumspection. It is only when a clear case of contemptuous conduct not explainable otherwise; arises that the contemnor must be punished. The broad test to determine whether there is contempt of court or not is to see whether the act complained of was calculated to obstruct or had an intrinsic tendency to interfere with the course of justice and the due administration of law. The standard of proof required for establishing a charge of "criminal contempt" is the same as in any other criminal proceeding. Even if it could be urged that mens rea as such is not an indispensable ingredient of the offence of contempt, the courts are loath to punish a contemnor if the act or omission complained of was not wilful, *Rajendra Sail v. M.P. High Court Bar Assn.*, (2005) 6 SCC 109 : 2005 SCC (Cri) 1401, See also Powers, Privileges and Immunities of State Legislatures, In re, 1964 SCC OnLine SC 21.

► **Scandalising the court.**—There are two primary considerations which should weigh with the court when it is called upon to exercise the summary powers in cases of contempt committed by 'scandalising' the court itself. In the first place, the reflection on the conduct or character of a Judge in reference to the discharge of his judicial duties, would not be contempt if such reflection is made in the exercise of the right of fair and reasonable criticism which every citizen possesses in respect of public acts done in the seat of justice. It is not by stifling criticism that confidence in courts can be created.

Secondly, when attacks or comments are made on a Judge or Judges, disparaging in character and derogatory to their dignity, care should be taken to distinguish between what is a libel on the Judge and what amounts really to contempt of court. The fact that a statement is defamatory so far as the Judge is concerned does not necessarily make it a contempt, *Brahma Prakash Sharma v. State of U.P.*, (1953) 1 SCC 813, See also *Het Ram Beniwal v. Raghuveer Singh*, (2017) 4 SCC 340.

► **Criticism of court.**—Criticism of court when transgresses the limits of fair and bona fide criticism, amounts to contempt of court, *Aswini Kumar Ghose v. Arabinda Bose*, (1952) 2 SCC 743.

6. Complaint against presiding officers of subordinate courts when not contempt.—A person shall not be guilty of contempt of court in respect of any statement made by him in good faith concerning the presiding officer of any subordinate court to—

- (a) any other subordinate court, or
- (b) the High Court,

to which it is subordinate.

Explanation.—In this section, "subordinate court" means any court subordinate to a High Court.

7. Publication of information relating to proceedings in chambers or in camera not contempt except in certain cases.—(1) Notwithstanding anything contained in this Act, a person shall not be guilty of contempt of court for publishing a fair and accurate report of a judicial proceeding before any court sitting in chambers or *in camera* except in the following cases, that is to say,—

- (a) where the publication is contrary to the provisions of any enactment for the time being in force;

- (b) where the court, on grounds of public policy or in exercise of any power vested in it, expressly prohibits the publication of all information relating to the proceeding or of information of the description which is published;
- (c) where the court sits in chambers or *in camera* for reasons connected with public order or the security of the State, the publication of information relating to those proceedings;
- (d) where the information relates to a secret process, discovery or invention which is an issue in the proceedings.

(2) Without prejudice to the provisions contained in sub-section (1), a person shall not be guilty of contempt of court for publishing the text or fair and accurate summary of the whole, or any part of an order made by a court sitting in chambers or *in camera*, unless the court has expressly prohibited the publication thereof on grounds of public policy, or for reasons connected with public order or the security of the State, or on the ground that it contains information relating to a secret process, discovery or invention, or in exercise of any power vested in it.

CASE LAW ► Prohibition of publication.—The publication is prohibited only because it interferes with the course of justice, *Naresh Shridhar Mirajkar v. State of Maharashtra*, 1966 SCC OnLine SC 10.

► **In camera trial in Rape cases.**—Trial of rape cases in camera should be the rule and an open trial an exception, *State of Punjab v. Gurmit Singh*, (1996) 2 SCC 384 : 1996 SCC (Cri) 316.

► **Contempt.**—Section 7 refers to leakage of information whereas Section 4 refers to reporting of court proceedings. Leakage defeats very purpose of hearing in chambers or in camera. Hence, it is treated as contempt of court, *Sahara India Real Estate Corpn. Ltd. v. SEBI*, (2012) 10 SCC 603 : (2013) 1 SCC (L&S) 76 : (2013) 2 SCC (Cri) 202.

8. Other defences not affected.—Nothing contained in this Act shall be construed as implying that any other defence which would have been a valid defence in any proceedings for contempt of court has ceased to be available merely by reason of the provisions of this Act.

9. Act not to imply enlargement of scope of contempt.—Nothing contained in this Act shall be construed as implying that any disobedience, breach, publication or other act is punishable as contempt of court which would not be so punishable apart from this Act.

10. Power of High Court to punish contempts of subordinate courts.—Every High Court shall have and exercise the same jurisdiction, powers and authority, in accordance with the same procedure and practice, in respect of contempts of courts subordinate to it as it has and exercises in respect of contempts of itself:

Provided that no High Court shall take cognizance of a contempt alleged to have been committed in respect of a court subordinate to it where such contempt is an offence punishable under the Indian Penal Code, 1860 (45 of 1860).

CASE LAW ► Courts subordinate to the High Courts.—The word “court” was not defined in the Act and the expression “courts subordinate to the High Courts” would ‘prima facie’ mean the Courts of law

subordinate to the High Courts in the hierarchy of courts established for the purpose of administration of justice throughout the Union, *Brajnandan Sinha v. Jyoti Narain*, 1955 SCC OnLine SC 39.

High Court can take action for contempt of subordinate court under Section 2 of 1926 Acts for defamation of the Judge though the aggrieved officer may have remedies such as Section 499, IPC *Bathina Ramakrishna Reddy v. State of Madras*, (1952) 1 SCC 154 : 1952 SCR 425.

► **Absence of remorse.**—When contemner not showing any repentance or remorse but persistently and consistently trying to justify the prima facie contemptuous action and, to frustrate the contempt proceedings, resorting to all legal tactics and pretences, the court has to deal with the case on merits with the sole object of protecting the dignity and respect of the court, *Arundhati Roy, In Re*, (2002) 3 SCC 343.

► **Punishments.**—The nature and types of punishment which a court of record can impose in a case of established contempt under the common law have now been specifically incorporated in the Contempt of Courts Act, 1971 insofar as the High Courts are concerned and therefore to the extent the Contempt of Courts Act, 1971 identifies the nature or types of punishments which can be awarded in the case of established contempt, it does not impinge upon the inherent powers of the High Court under Article 215 either. No new type of punishment can be created or assumed, *Supreme Court Bar Assn. v. Union of India*, (1998) 4 SCC 409.

► **Abusive slogans against judiciary.**—When abusive slogans raised against judiciary and a District Judge outside the courtroom within the court premises then bar to jurisdiction of High Court under proviso to Section 10, Contempt of Courts Act, 1971, is not attracted since offences under Sections 175, 178 to 180 or Section 228 IPC were not committed in the view or presence of the court but outside and such court took no action under Section 345 CrPC. Also, if the alleged conduct is one which scandalises the court and impairs administration of justice, the said bar would not apply, *Arun Paswan v. State of Bihar*, (2004) 5 SCC 53 : 2004 SCC (Cri) 1503.

► **Contempt of subordinate courts.**—Power of High Court to punish for contempt of subordinate courts is derived by the High Court under Contempt of Courts Act and not under Article 215, *Manubhai Pragji Vashi v. State of Maharashtra*, 1996 SCC OnLine Bom 317.

► **Jurisdiction of High Court.**—The proviso to Section 10 excludes the jurisdiction of High Court only in cases where the acts alleged to constitute contempt of a subordinate court are punishable as contempt under specific provisions of the Indian Penal Code but not where these acts merely amount to offences of other description for which punishment has been provided for in the Indian Penal Code, D.B. Vohra, *In re*, 1973 SCC OnLine Del 224.

► **Aiding and abetting contempt.**—Guilt of third person is not bound by court orders, but through his conduct committing contempt of court. Despite dual perceived character of such liability : (i) as aiding and abetting contempt by another, and (ii) as committing contempt himself, held, such conduct will amount to contempt by himself, *Sita Ram v. Balbir*, (2017) 2 SCC 456.

11. Power of High Court to try offences committed or offenders found outside jurisdiction.—A High Court shall have jurisdiction to inquire into or try a contempt of itself or of any court subordinate to it, whether the contempt is alleged to have been committed within or outside the local limits of its jurisdiction, and whether the person alleged to be guilty of contempt is within or outside such limits.

CASE LAW ► Allahabad High Court Rules, 1951.—Ch. XXXV-E Rule 4(a) Allahabad High Court Rules, 1951 requiring that all civil contempt cases be presented before the Bench of a Single Judge constituted for

that purpose is valid and not ultra vires Article 215, *High Court of Judicature at Allahabad v. Raj Kishore Yadav*, (1997) 3 SCC 11.

12. Punishment for contempt of court.—(1) Save as otherwise expressly provided in this Act or in any other law, a contempt of court may be punished with simple imprisonment for a term which may extend to six months, or with fine which may extend to two thousand rupees, or with both:

Provided that the accused may be discharged or the punishment awarded may be remitted on apology being made to the satisfaction of the court.

Explanation.—An apology shall not be rejected merely on the ground that it is qualified or conditional if the accused makes it bona fide.

(2) Notwithstanding anything contained in any law for the time being in force, no court shall impose a sentence in excess of that specified in sub-section(1) for any contempt either in respect of itself or of a court subordinate to it.

(3) Notwithstanding anything contained in this section, where a person is found guilty of a civil contempt, the court, if it considers that a fine will not meet the ends of justice and that a sentence of imprisonment is necessary shall, instead of sentencing him to simple imprisonment, direct that he be detained in a civil prison for such period not exceeding six months as it may think fit.

(4) Where the person found guilty of contempt of court in respect of any undertaking given to a court is a company, every person who, at the time the contempt was committed, was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the contempt and the punishment may be enforced with the leave of the court, by the detention in civil prison of each such person:

Provided that nothing contained in this sub-section shall render any such person liable to such punishment if he proves that the contempt was committed without his knowledge or that he exercised all due diligence to prevent its commission.

(5) Notwithstanding anything contained in sub-section (4), where the contempt of court referred to therein has been committed by a company and it is proved that the contempt has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of the contempt and the punishment may be enforced, with the leave of the court, by the detention in civil prison of such director, manager, secretary or other officer.

Explanation.—For the purpose of sub-sections (4) and (5),—

(a) “company” means any body corporate and includes a firm or other association of individuals; and

(b) “director”, in relation to a firm, means a partner in the firm.

CASE LAW ► Compliance of courts’ orders.—Officers of government should exercise utmost vigilance in compliance of courts’ orders, particularly where they deal with vital issues such as cultivation

rights of landholders, *Tapan Kumar Mukherjee v. Heromoni Mondal*, (1991) 1 SCC 397 : 1991 SCC (Cri) 198, See also *SEBI v. Sahara India Real Estate Corpn. Ltd.*, (2014) 5 SCC 429 : (2014) 2 SCC (Cri) 618 : (2014) 3 SCC (Civ) 190.

► **Delay in final disposal.**—Criticising delay in final disposal of public interest litigation by highlighting public accountability of the court by party to the proceeding, held borders on contempt. But systematic inadequacies of the court can be criticised in broader public interest, *Sheela Barse v. Union of India*, (1988) 4 SCC 226.

► **Apology.**—Apology is an act of contrition. Unless apology is offered at the earliest opportunity and in good grace apology is shorn of penitence. If apology is offered at a time when the contemnor finds that the court is going to impose punishment it ceases to be an apology and it becomes an act of a cringing coward, *Mulk Raj v. State of Punjab*, (1972) 3 SCC (Cri) 24, See also *Bal Kishan Giri v. State of U.P.*, (2014) 7 SCC 280 and *T.N. Godavarman Thirumulpad (102) v. Ashok Khot*, (2006) 5 SCC 1.

Sincere and repentant though not tendered earlier or in writing, held, deserves acceptance, *Dinabandhu Sahu v. State of Orissa*, (1972) 4 SCC 761.

The Supreme Court is not hypersensitive in matters relating to contempt of courts and has always shown magnanimity in accepting the apology on being satisfied that the error made in the publication was without any malice or without any intention of disrespect towards the courts or towards any member of the judiciary, *Harijai Singh, Re*, (1996) 6 SCC 466, See also *Priya Gupta v. Ministry of Health & Family Welfare*, (2013) 11 SCC 404.

► **Punishment for contempt.**—Power to punish for contempt is rare species of judicial power which by very nature calls for exercise with great care and caution. Power to punish for contempt is subject to limitations prescribed in Section 12(2), *Bal Kishan Giri v. State of U.P.*, (2014) 7 SCC 280.

► **Sentence.**—Under Section 12(3), normally the sentence that should be given to an offender who is found guilty of civil contempt, is fine and not imprisonment. The sentence of imprisonment is an exception while sentence of fine is the rule, *Pushpaben v. Narandas v. Badiani*, (1979) 2 SCC 394 : 1979 SCC (Cri) 511.

► **Dignity of the court.**—A person trying to scandalise the court or undermining the dignity of the Supreme Court or High Court would attract Article 129 or Article 215, *Arundhati Roy, In Re*, (2002) 3 SCC 343.

► **Absence of intention.**—Absence of intention or knowledge about correctness of the news published cannot be a valid defence for the publisher, editor and reporter. They must be extra careful, *Harijai Singh, Re*, (1996) 6 SCC 466.

► **Disobedience of Court orders.**—Judicial orders cannot be permitted to be circumvented. In exercise of the contempt jurisdiction, courts have the power to enforce compliance of judicial orders, and also, the power to punish for contempt, *Subrata Roy Sahara v. Union of India*, (2014) 8 SCC 470.

► **Accurate Reporting of Trial.**—Fair and accurate reporting of a trial, can be temporarily prohibited if there is substantial risk of prejudice in later or connected trials, *Sahara India Real Estate Corpn. Ltd. v. SEBI*, (2012) 10 SCC 603 : (2013) 1 SCC (L&S) 76 : (2013) 2 SCC (Cri) 202.

► **Administration of justice.**—Deliberate and intentional submission of forged document to stall court auction, is rightly found to be contempt by High Court, as it amounted to interference with administration of justice, *Radhe Shyam Middha v. State (NCT of Delhi)*, (2017) 15 SCC 539.

► **Contempt of Court.**—Use of abusive and pejorative language against Judges for delivering a particular judgment and inciting people against the judiciary amounts to contempt of court, *M.V. Jayarajan v. High Court of Kerala*, (2015) 4 SCC 81 : (2015) 2 SCC (Cri) 1.

Complaints allegedly pending against Judge in face of whom contempt committed by advocate, held, even if true, then also it is no defence to contempt, *Mahipal Singh Rana v. State of U.P.*, (2016) 8 SCC 335 : (2016) 2 SCC (L&S) 390 : (2016) 3 SCC (Cri) 476 : (2016) 4 SCC (Civ) 1.

Sanctions/Punishments that may be imposed in addition to punishments that may be imposed for criminal contempt under Contempt of Courts Act, 1971, illustrated, *Mahipal Singh Rana v. State of U.P.*, (2016) 8 SCC 335 : (2016) 2 SCC (L&S) 390 : (2016) 3 SCC (Cri) 476.

► **Contempt jurisdiction.**—Principles to be followed for exercise of contempt jurisdiction, summarized. High Court fixing market value of acquired land while deciding contempt petition, not permissible, *K. Arumugam v. V. Balakrishnan*, (2019) 18 SCC 150.

⁴[**13. Contempts not punishable in certain cases.**—Notwithstanding anything contained in any law for the time being in force,—

(a) no court shall impose a sentence under this Act for a contempt of court unless it is satisfied that the contempt is of such a nature that it substantially interferes, or tends substantially to interfere with the due course of justice;

(b) the court may permit, in any proceeding for contempt of court, justification by truth as a valid defence if it is satisfied that it is in public interest and the request for invoking the said defence is bona fide.]

CASE LAW ► Administration of justice.—Due course of justice means not only any particular proceeding but broad stream of administration of justice. Therefore, due course of justice used in Section 2(c) or Section 13 of the Act are of wide import and are not limited to any particular judicial proceeding, *Ram Autar Shukla v. Arvind Shukla*, 1995 Supp (2) SCC 130.

► **Scandalization of the Court.**—Scandalization of the Court is a species of contempt and may take several forms. A common form is the vilification of the Judge. When proceedings in contempt are taken for such vilification the question which the Court has to ask is whether the vilification is of the Judge as a judge, or it is the vilification of the Judge as an individual, *Baradakanta Mishra v. Registrar of Orissa High Court*, (1974) 1 SCC 374 : 1974 SCC (Cri) 128.

► **Contempt proceedings.**—Sine qua non for considering truth as a valid defence are that the court should be satisfied that defence is in public interest and the request for invoking said defence is bona fide. These are the twin requirements of Section 13 of the Contempt of Courts Act, 1971, as amended in 2006. *Prashant Bhushan, In re (Contempt Matter)*, (2021) 3 SCC 160.

14. Procedure where contempt is in the face of the Supreme Court or a High Court.—(1) When it is alleged, or appears to the Supreme Court or the High Court upon its own view, that a person has been guilty of contempt committed in its presence or hearing, the Court may cause such person to be detained in custody,

4. Subs. by Act 6 of 2006, S. 2 (w.e.f. 17-3-2006).

and, at any time before the rising of the Court, on the same day, or as early as possible thereafter, shall—

- (a) cause him to be informed in writing of the contempt with which he is charged;
- (b) afford him an opportunity to make his defence to the charge;
- (c) after taking such evidence as may be necessary or as may be offered by such person and after hearing him, proceed, either forthwith or after adjournment, to determine the matter of the charge; and
- (d) make such order for the punishment or discharge of such person as may be just.

(2) Notwithstanding anything contained in sub-section (1), where a person charged with contempt under that sub-section applies, whether orally or in writing, to have the charge against him tried by some Judge other than the Judge or Judges in whose presence or hearing the offence is alleged to have been committed, and the Court is of opinion that it is practicable to do so and that in the interests of proper administration of justice the application should be allowed, it shall cause the matter to be placed, together with a statement of the facts of the case, before the Chief Justice for such directions as he may think fit to issue as respects the trial thereof.

(3) Notwithstanding anything contained in any other law, in any trial of a person charged with contempt under sub-section (1) which is held, in pursuance of a direction given under sub-section (2), by a Judge other than the Judge or Judges in whose presence or hearing the offence is alleged to have been committed, it shall not be necessary for the Judge or Judges in whose presence or hearing the offence is alleged to have been committed to appear as a witness and the statement placed before the Chief Justice under sub-section (2) shall be treated as evidence in the case.

(4) Pending the determination of the charge, the Court may direct that a person charged with contempt under this section shall be detained in such custody as it may specify:

Provided that he shall be released on bail, if a bond for such sum of money as the Court thinks sufficient is executed with or without sureties conditioned that the person charged shall attend at the time and place mentioned in the bond and shall continue to so attend until otherwise directed by the Court:

Provided further that the Court may, if it thinks fit, instead of taking bail from such person, discharge him on his executing a bond without sureties for his attendance as aforesaid.

15. Cognizance of criminal contempt in other cases.—(1) In the case of a criminal contempt, other than a contempt referred to in Section 14, the Supreme Court or the High Court may take action on its own motion or on a motion made by—

- (a) the Advocate-General, or

- (b) any other person, with the consent in writing of the Advocate General,⁵[or]
- ⁶[(c) in relation to the High Court for the Union Territory of Delhi, such Law Officer as the Central Government may, by notification in the Official Gazette, specify in this behalf, or any other person, with the consent in writing of such Law Officer.]

(2) In the case of any criminal contempt of a subordinate court, the High Court may take action on a reference made to it by the subordinate court or on a motion made by the Advocate-General or, in relation to a Union territory, by such Law Officer as the Central Government may, by notification in the Official Gazette, specify in this behalf.

(3) Every motion or reference made under this section shall specify the contempt of which the person charged is alleged to be guilty.

Explanation.—In this section, the expression “Advocate-General” means,—

- (a) in relation to the Supreme Court, the Attorney-General or the Solicitor-General;
- (b) in relation to the High Court, the Advocate-General of the State or any of the States for which the High Court has been established;
- (c) in relation to the court of a Judicial Commissioner, such Law Officer as the Central Government may, by notification in the Official Gazette, specify in this behalf.

CASE LAW ► Contempt jurisdiction.—Parliament by virtue of Entry 77 List I is competent to enact a law relating to the powers of the Supreme Court with regard to contempt of itself and such a law may prescribe the nature of punishment which may be imposed on a contemner by virtue of the provisions of Article 129 read with Article 142(2) of the Constitution. Since no such law has been enacted by Parliament, the nature of punishment prescribed under the Contempt of Courts Act, 1971 may act as a guide for the Supreme Court but the extent of punishment as prescribed under that Act can apply only to the High Courts, because the 1971 Act ipso facto does not deal with the contempt jurisdiction of the Supreme Court, except that Section 15 of the Act prescribes procedural mode for taking cognizance of criminal contempt by the Supreme Court also. Section 15, However, is not a substantive provision conferring contempt jurisdiction, *Zahira Habibullah Sheikh (5) v. State of Gujarat*, (2006) 3 SCC 374 : (2006) 2 SCC (Cri) 8.

► **Contempt of court.**—High Court can take action for contempt of court not only on a motion made by the Advocate General but also on a motion made by a private party with the consent in writing of the Advocate General, *U.N.R. Rao v. M. Shanmugavel*, (1977) 1 SCC 741 : 1977 SCC (Cri) 172.

► **Contempt proceedings.**—Proceeding of contempt of court is sui generis and not strictly controlled by provisions of CrPC and Evidence Act. What applies to a proceeding of contempt of court are the principles of natural justice, *R.K. Anand v. Delhi High Court*, (2009) 8 SCC 106.

5. Ins. by Act 45 of 1976, S. 2 (w.e.f. 30-3-1976).

6. Ins. by Act 45 of 1976, S. 2 (w.e.f. 30-3-1976).

► **Suo motu cognizance** —General principles regarding prejudice to or interference with judicial proceeding on suo motu cognizance by High Court based on sting operation telecast on television, *R.K. Anand v. Delhi High Court*, (2009) 8 SCC 106.

► **Criminal contempt.**—In case of Criminal contempt of subordinate court, when proceedings not initiated as per provisions of S. 15 proceedings stand vitiated, *Vilas v. Sanghai v. Sumermal Mishrimlal Bafna*, (2016) 9 SCC 439 : (2016) 3 SCC (Cri) 681.

16. Contempt by judge, magistrate or other person acting judicially.—(1) Subject to the provisions of any law for the time being in force, a judge, magistrate or other person acting judicially shall also be liable for contempt of his own court or of any other court in the same manner as any other individual is liable and the provisions of this Act shall, so far as may be, apply accordingly.

(2) Nothing in this section shall apply to any observations or remarks made by a judge, magistrate or other person acting judicially, regarding a subordinate court in an appeal or revision pending before such judge, magistrate or other person against the order or judgment of the subordinate court.

CASE LAW ► Intention.—Intention to disobey must be proved, *B.K. Kar v. Chief Justice and Justices of Orissa High Court*, AIR 1961 SC 1367 1367.

► **Standards of professionalism.**—A private TV channel which is also a vast business venture has the inherent dilemma to reconcile its business interests with the higher standards of professionalism/ demands of profession. The two may not always converge and then the TV channel would find its professional options getting limited as a result of conflict of priorities, *R.K. Anand v. Delhi High Court*, (2009) 8 SCC 106.

17. Procedure after cognizance.—(1) Notice of every proceeding under Section 15 shall be served personally on the person charged, unless the Court for reasons to be recorded directs otherwise.

(2) The notice shall be accompanied,—

(a) in the case of proceedings commenced on a motion, by a copy of the motion as also copies of the affidavits, if any, on which such motion is founded; and

(b) in the case of proceedings commenced on a reference by a subordinate court, by a copy of the reference.

(3) The Court may, if it is satisfied that a person charged under Section 15 is likely to abscond or keep out of the way to avoid service of the notice, order the attachment of his property of such value or amount as it may deem reasonable.

(4) Every attachment under sub-section (3) shall be effected in the manner provided in the Code of Civil Procedure, 1908 (5 of 1908) for the attachment of property in execution of a decree for payment of money, and if, after such attachment, the person charged appears and shows to the satisfaction of the Court that he did not abscond or keep out of the way to avoid service of the notice, the Court shall order the release of his property from attachment upon such terms as to costs or otherwise as it may think fit.

(5) Any person charged with contempt under Section 15 may file an affidavit in support of his defence, and the Court may determine the matter of the charge either on the affidavits filed or after taking such further evidence as may be necessary, and pass such order as the justice of the case requires.

CASE LAW ▶ Scandalising Judges.—Section 17(5) of the Contempt of Courts Act only contemplates that in support of his defence he may rely on either the affidavits or such evidence which the court may find necessary, no litigant can arrogate to himself the claim of his being objectively right. Truth is not and cannot be a justification in respect of scandalising judges or the judiciary., R.S. Ramachandran, *In Re*, 1975 SCC OnLine Del 126.

▶ **Offensive material.**—Notice must specify the particular portions of the letter found by the court to be offensive. Mere reference to the entire document, criticised, *Ram Pratap Sharma, Re*, (1977) 1 SCC 150 : 1977 SCC (Cri) 44.

▶ **Filing of false affidavit.**—Filing of false affidavit in court constitutes criminal contempt. Tutoring, or pressure by police or fear of police is no defence, *Dhananjay Sharma v. State of Haryana*, (1995) 3 SCC 757 : 1995 SCC (Cri) 608.

18. Hearing of cases of criminal contempt to be by Benches.—(1) Every case of criminal contempt under Section 15 shall be heard and determined by a Bench of not less than two Judges.

(2) Sub-section (1) shall not apply to the Court of a Judicial Commissioner.

19. Appeals.—(1) An appeal shall lie as of right from any order or decision of High Court in the exercise of its jurisdiction to punish for contempt—

(a) where the order or decision is that of a single judge, to a Bench of not less than two Judges of the Court;

(b) where the order or decision is that of a Bench, to the Supreme Court:

Provided that where the order or decision is that of the Court of the Judicial Commissioner in any Union territory, such appeal shall lie to the Supreme Court.

(2) Pending any appeal, the appellate Court may order that—

(a) the execution of the punishment or order appealed against be suspended;

(b) if the appellant is in confinement, he be released on bail; and

(c) the appeal be heard notwithstanding that the appellant has not purged his contempt.

(3) Where any person aggrieved by any order against which an appeal may be filed satisfies the High Court that he intends to prefer an appeal, the High Court may also exercise all or any of the powers conferred by sub-section (2).

(4) An appeal under sub-section (1) shall be filed—

(a) in the case of an appeal to a Bench of the High Court, within thirty days;

(b) in the case of an appeal to the Supreme Court, within sixty days, from the date of the order appealed against.

CASE LAW ▶ Appeal.—An appeal lies before Supreme Court under S. 19 only against such order of High Court which imposes punishment for contempt and no appeal will lie against an interlocutory order or

an order dropping or refusing to initiate contempt proceedings, *Sujitendra Nath Singh Roy v. State of W.B.*, (2015) 12 SCC 514.

No appeal will lie to the Supreme Court against an interlocutory order of the High Court, *Barada Kanta Mishra v. Orissa High Court*, (1977) 3 SCC 345 : 1977 SCC (Cri) 532.

Appeal does not lie as a matter of right against mere initiation of proceedings for contempt by issuance of notice, *Purshotam Dass Goel v. B.S. Dhillon*, (1978) 2 SCC 370 : 1978 SCC (Cri) 195.

20. Limitation for actions for contempt.—No court shall initiate any proceedings for contempt, either on its own motion or otherwise, after the expiry of a period of one year from the date on which the contempt is alleged to have been committed.

CASE LAW ► Limitation for initiating contempt proceedings.—Suo motu action for contempt of court commences for purposes of limitation under S. 20 from date of reference made by subordinate court under S. 15(2). In other cases contempt action would commence with filing of application drawing court's attention to commission of contempt. Application filed by any person other than Advocate General without consent of Advocate General would not be treated as such an application. Initiation of criminal action for contempt, be it under Art. 129 or under Art. 215 of the Constitution, must be in consonance with procedure prescribed by the 1971 Act, *Maheshwar Peri v. High Court of Judicature at Allahabad*, (2016) 14 SCC 251.

21. Act not to apply to Nyaya Panchayats or other village courts.—Nothing contained in this Act shall apply in relation to contempt of Nyaya Panchayats or other village courts, by whatever name known, for the administration of justice, established under any law.

22. Act to be in addition to, and not in derogation of, other laws relating to contempt.—The provisions of this Act shall be in addition to, and not in derogation of, the provisions of any other law relating to contempt of courts.

23. Power of Supreme Court and High Courts to make rules.—The Supreme Court or, as the case may be, any High Court, may make rules, not inconsistent with the provisions of this Act, providing for any matter relating to its procedure.

24. Repeal.—The Contempt of Courts Acts, 1952 (32 of 1952) is hereby repealed.
