



Media has Right to Report Court Proceeding: SC

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Why in News

Recently, the **Supreme Court (SC)** dismissed a plea by the **Election Commission of India (ECI)** to restrain media from reporting oral observations of the judges.

The SC ruled that the **media has rights to report observations** made during the course of hearings (Court Proceedings).

Key Points

- **Freedom of Speech:**

- Real-time reportage of court proceedings, including the **oral exchanges in courtrooms** between judges and lawyers, **is part of the right to freedom of speech.**

Under **Article 19**, Indian Constitution guarantees **Freedom of Speech and Expression.**

- With the advent of technology, **reporting has proliferated through social media forums**, which provides real-time updates to a much wider audience. This is an **extension of the freedom of speech and expression that the media possesses.**

This constitutes a **virtual extension of the open court.**

- **Except in cases of child sexual abuse and marital issues**, the phenomenon of free press should extend to court proceedings.

- **Judicial Integrity:**

Right of the media to report and disseminate issues and events, including court proceedings that **were a part of the public domain, augmented the integrity of the judiciary.**

- **Functionality of Open Court Proceeding:**
 - Ensures that the **judicial process is subject to public scrutiny** which in turn is **crucial to maintaining transparency and accountability** and transparency in the functioning of democratic institutions is **crucial to establish the public's faith in them.**
 - Ensures that **judges act in accordance with law and with probity.**
 - Court proceedings are **vital sources of public information** about the activities of the legislature and the executive. An open court serves an **educational purpose** as well becoming a **platform for citizens to know how the practical application of the law impacts upon their rights.**
- **Language:**

There is a **need for judges to exercise caution in off-the-cuff remarks in open court**, which may be susceptible to misinterpretation. **Language**, both on the Bench and in judgments, **must comport with judicial propriety.**

Language is an **important instrument of a judicial process which is sensitive to constitutional values.**

Election Commission of India

- **About:**
 - It is an **autonomous constitutional authority** responsible for administering Union and State election processes in India.
 - It was established in accordance with the constitution on **25th January 1950 (celebrated as national voters' day)**. The secretariat of the commission is located in New Delhi.
 - The body **administers elections to the Lok Sabha, Rajya Sabha, and State Legislative Assemblies in India, and the offices of the President and Vice President in the country.**

It is **not concerned with the elections to panchayats and municipalities** in the states. For this, the Constitution of India provides for a separate **State Election Commission**.
- **Constitutional Provisions:**

Part XV (Article 324-329) of the Indian Constitution deals with elections, and establishes a commission for these matters.

Source:TH