



Media has Right to Report Court Proceeding: SC

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](#)

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