

NOD FOR LIVE-STREAMING COURT PROCEEDINGS

Relevant for: Indian Polity & Constitution | Topic: Judiciary: Structure, Organisation & Functioning

In a separate and concurring opinion, Justice Chandrachud wrote that the live-streaming of proceedings would be the true realisation of the “open court system” in which courts are accessible to all.

The court laid down several conditions, mostly in consonance with those handed over by Attorney-General K.K. Venugopal.

It pointed out that in some cases the parties may have genuine reservations and may claim right of privacy and dignity. “Such a claim will have to be examined by the court and for which reason, a just regulatory framework must be provided for, including obtaining prior consent of the parties to the proceedings to be live-streamed,” Justice Khanwilkar observed.

The final decision whether to live-stream a case or not lies with the court, especially in sensitive ones. The decision cannot be appealed, the court said.

Justice Khanwilkar said live-streaming should start as a pilot project in the Supreme Court for cases of national importance. Specified category of cases or cases of constitutional and national importance being argued for final hearing before the Constitution Bench may be live-streamed first.

The project of live-streaming proceedings of the SC on the Internet through the Supreme Court website or on radio or Doordarshan must be implemented in a “progressive, structured and phased manner, with certain safeguards to ensure that the purpose of live-streaming of proceedings is achieved holistically and that it does not interfere with administration of justice or the dignity and majesty of court hearing.”

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