

# FAIR AND ACCURATE REPORT OF JUDICIAL PROCEEDING NOT CONTEMPT

## CHAPTER I

### INTRODUCTION

Section 4 of The Contempt of Courts Act, 1971 reads verbatim;

*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. —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.<sup>1</sup>*

As stated above, section 4 deals with the publication of fair and accurate judicial proceedings, where the term judicial proceedings when read along with section(s) 4 and 7 have a restricted meaning. "Judicial Proceeding" is a day to day proceeding of the court. The media reports must represent a fair and accurate report of judicial proceeding and not a one sided picture. Assuming though not granting that it is capable of a wider construction, it only permits a publication of "fair and accurate" report of a Judicial Proceeding.<sup>2</sup>

Before we continue further, let us first understand the provisions under Section 7 of The Contempt of Courts Act, 1971.

Section 7 of The Contempt of Courts Act, 1971 reads verbatim;

*"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;

<sup>1</sup> Section 4 in the Contempt of Courts Act, 1971

<sup>2</sup> Subhash Chandra, S.M. Aggarwal, 1984 Cr LJ 482

<sup>3</sup> Section 7 in the Contempt of Courts Act, 1971

# Full Accurate Report Of The Proceeding

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