

Attorney General consents to Contempt Proceedings against YouTuber

September 16, 2021

In news– Recently, the Attorney General of India gave his consent to initiate contempt of court proceedings against journalist Ajeet Bharti in connection with a video posted by him on YouTube. The journalist had accused the Supreme Court judges of bribery, favouritism, and nepotism.

What is contempt of Court?

- **According to the Contempt of Courts Act, 1971**, contempt of court can either be civil contempt or criminal contempt.
- **Civil contempt means wilful disobedience of any judgment, decree, direction, order**, writ or other process of a court, or wilful breach of an undertaking given to a court.
- **Criminal contempt**, on the other hand, **is attracted by 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:
 - **Scandalises or tends to scandalise**, or lowers or tends to lower the authority of, any court; or
 - Prejudices, or interferes or tends to interfere with, the due course of any judicial proceeding; or
 - **Interferes or tends to interfere with**, or obstructs or tends to obstruct, the administration of justice in any other manner.
- In 2006, the government brought in an amendment, which now provides “truth” as defence provided it is bona fide and in public interest.

- For initiating contempt proceedings in the Supreme Court under **Section 15 of the Contempt of Courts Act**, one is required to obtain the consent of the Attorney General under Rule 3(c) of the Rules to Regulate Proceedings for Contempt of Supreme Court, 1975.
- According to the Act, 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.

About Attorney General of india(AGI)-

- The Attorney General for India is the Indian government's chief legal advisor, and is its principal Advocate before the Supreme Court of India.
- **AGI is appointed by the President of India** on the advice of the Union Cabinet under **Article 76(1) of the Constitution** and holds office during the pleasure of the President.
- AGI must be a person qualified to be appointed as a Judge of the Supreme Court.
- Hence, they must have been a judge of some high court for five years or an advocate of some high court for ten years, or an eminent jurist in the opinion of the President.
- The Attorney General is necessary for advising the Government of India on legal matters referred to them. They also perform other legal duties assigned to them by the President.
- The Attorney General has the right of audience in all Courts in India as well as the right to participate in the proceedings of the Parliament, though not to vote.
- The 15th and current Attorney General is K. K. Venugopal.