Unauthorized recordings of court proceedings, considering the technological advancements and information rights, while upholding the principles of judicial integrity and the sanctity of court processes under the Contempt of Courts Act.

1. **Contempt of Courts Act and Unauthorized Recording (Part i):**

- Whether unauthorized recording of court proceedings constitutes criminal contempt especially in the context of the Right to Information, technological advancements, and the principle of open courts in India.
    - The Punjab and Haryana High Court, under its “Video Conferencing Rules” and the Punjab High Court Rules and Orders (Part-H of Chapter-I Volume V), specifically disallows unauthorized recording as per sub Rule VI Rule 3 under Chapter II General Principles.
    - The potential misuse of such recordings, especially in the era of active social media, where unauthorized editing and uploading could lead to scandalization.
    - Such actions could undermine the integrity of the judicial process and distort public perception.

- **Implications of Unauthorized Recordings and Rights under RTI (Part ii):**

- The court acknowledged the various rights under the Right to Information Act, including access to information through web portals and mobile applications.
    - However, it emphasized that unauthorized recordings without court consent fall within the scope of “criminal contempt” as defined under Section 2(c) of the Contempt of Courts Act, 1971.
    - The decision reflected a balance between the right to information and the need to protect the sanctity of court proceedings. The court pointed out that even the Model Rules for Live Streaming and Recording of Court Proceedings impose restrictions on recording, highlighting the importance of obtaining specific permission from the court.

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PUNJAB AND HARYANA HIGH COURT

Before: Mr. Justice G.S. Sandhawalia and Mrs. Justice Harpreet Kaur Jeevan.

COURT ON ITS OWN MOTION – Petitioner,

Versus

RAVJOT SINGH and others – Respondents/contemnors

CROCP-16-2020 and IOIN-CR-5878-2019 (O&M)

Contempt of Courts Act Section 2 (c) – Model Rules for Video Conferencing for Courts, Rule 9.2 – Punjab and Haryana High Court "Video Conferencing Rules" – Punjab High Court Rules and Orders , Part-H of Chapter-I Volume V – Criminal contempt – Whether the unauthorized recording of the Court proceedings would amount to a criminal contempt in an age of Right to Information, use of technology and the courts being Open Courts in India – Unauthorised recording by any person has been disallowed as per sub Rule VI Rule 3 under Chapter II General Principles – Recording of the court proceedings without the consent of the court would have the tendency to scandalize as in the days of active social media, such recording can be misused by unauthorised editing and uploading on the social media can be misused through online publications methodology – Permitting such recordings in the Court proceedings, can have the tendency of being misused and circulated, when such recording is done without disclosing the purpose and without obtaining a specific permission from the Court – There are prohibitions and restrictions even in the Model Rules for Live Streaming and Recording of the Court Proceedings, Model Rules of this High Court for Video Conferencing of the Courts – As such, despite there being various rights under the Right to Information Act, right to access the information through various modes provided on the web portal and various computer applications and with mobile applications, but unauthorized recording of the court proceedings without the permission of the court would amount to scandalizing the recorded data and would come within the definition of "Criminal Contempt" by under Section 2(c) of the Contempt of Courts Act, 1971.

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