



# RAMA UNIVERSITY

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## FACULTY OF JURIDICAL SCIENCES

**SUBJECT:** Professional Ethics and  
Professional Accounting System

**SUBJECT CODE:** BAL 704/BBL704/ LL.B. 503

**LECTURE:** 39

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# Lecture-39



**Contempt of Court Act, 1971**

## Lecture 39 Legality of Contempt of Court

### The legality of contempt of court

- For the concept of Contempt of Court, the **Contempt of Court Act, 1971** was passed which dealt with such a concept. **Article 129 and 215** [‘courts of record’] of the Constitution of India empowers the Supreme Court and High Court respectively to punish people for their respective contempt. Section 10 of The Contempt of Courts Act of 1971 defines the power of the High Court to punish contempts of its subordinate courts. Power to punish for contempt of court under Articles 129 and 215 is not subject to Article 19(1)(a) [freedom of speech and expression].
- **Article 142(2)** says that when any law is made by the Parliament on the provisions mentioned in clause 1 of this Article, the Supreme Court has all the power to make an order for securing any person’s attendance, production of any documents or has the power to give punishment to anyone for its contempt.
- Under **Section 2(b) of the Contempt of Courts Act of 1971**, **civil contempt** has been defined as wilful disobedience to any judgment, decree, direction, order, writ or other process of a court or wilful breach of an undertaking given to a court.
- Under **Section 2(c) of the Contempt of Courts Act of 1971**, **criminal contempt** has been defined as the publication (whether by words, spoken or written, or by signs, or by visible representation, 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, Prejudices, or interferes or tends to **interfere with the due course** of any judicial proceeding, Interferes or tends to interfere with, or obstructs or tends to **obstruct, the administration of justice** in any other manner.
- The Limitation period for actions of contempt has been discussed under Section 20 of the Contempt of Courts Act of 1971 and is a **period of one year** from the date on which the contempt is alleged to have been committed.

### SELF-TEST QUESTIONS

S.NO	Question	Option (a)	Option (b)
1.	For the concept of Contempt of Court, the Contempt of Court Act, 1971 was passed which dealt with such a concept. Article 129 and 215	True	False
2.	<b>Article 142(2)</b> says that when any law is made by the Parliament on the provisions mentioned in clause 1 of this Article, the Supreme Court has all the power to make an order for securing any person's attendance, production of any documents or has the power to give punishment to anyone for its contempt.	True	False
3.	Section 13 has been added in the Contempt of Court Act, 1971 after amendment in 2006. The new Act may be called The Contempt of Court (Amendment) Act, 2006	True	False
4.	Under Section 2(b) of the Contempt of Courts Act of 1971, civil contempt has been defined as wilful disobedience to any judgment, decree, direction, order, writ or other process of a court or wilful breach of an undertaking given to a court	True	False
5.	Criminal Contempt rather than Civil Contempt committed outside the Court. Section 15(1) of the Contempt of Court Act, 1971 deals with the notice of Criminal Contempt by Court of Record such as the	True	False

	Supreme Court and the High Court.		
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**Answers: 1-(b),2-(a), 3-(a),4-(a),5-(a)**