

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
(DEPARTMENT OF JUSTICE)
RAJYA SABHA

UNSTARRED QUESTION No. 1232

ANSWERED ON 05/12/2024

LIVE STREAMING OF COURT PROCEEDINGS

1232. SHRI VIVEK K. TANKHA :

Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) the details of steps taken by Government to implement the directions issued in Swapnil Tripathi vs Supreme Court of India, AIR 2018 SC 4806 mandating live streaming of court proceedings;
- (b) whether Government has earmarked specific funds to equip all courts in India to possess the requisite infrastructure for implementing this direction;
- (c) if so, the details thereof; and
- (d) if not, the reasons therefor?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS

(SHRI ARJUN RAM MEGHWAL)

(a) to (d): In Swapnil Tripathi v. Union of India, AIR 2018 SC 4806, the Hon'ble Supreme Court of India did not issue any specific directions to the Government of India regarding the live streaming of court proceedings.

However, it may be noted that in the said judgment, the Hon'ble Supreme Court of India has framed the model guidelines to be followed for broadcasting of the proceedings and other judicial events of the Supreme Court of India. The relevant extract of the abovementioned judgment are at *Annexure-I*.

In addition to the above, the Model Rules for Live Streaming and Recording of Court Proceedings have been circulated by the Supreme Court of India to all the High Courts. The said model rules are also placed in the public domain at <https://ecommitteesci.gov.in/document/model-rules-for-live-streaming-and-recording-of-court-proceedings/>.

The live streaming of court proceedings falls under the administrative jurisdiction of the respective High Courts and the Hon'ble Supreme Court of India. As on date, Live Streaming of court proceedings is in operation in the High Courts of Gujarat, Gauhati, Orissa, Karnataka, Jharkhand, Patna, Madhya Pradesh, Uttarakhand & Constitutional Bench of Hon'ble Supreme Court of India, thus allowing media and other interested persons to join the proceedings.

One of the components of the eCourts Project Phase-III is Courtroom Live Audio-visual Streaming System (CLASS) under which an amount of Rs.112.26 crore has been earmarked.

STATEMENT REFERRED TO IN REPLY TO PART (A) TO (D) OF RAJYA SABHA UNSTARRED QUESTION NO. 1232 FOR ANSWER ON 05.12.2024 REGARDING 'LIVE STREAMING OF COURT PROCEEDINGS.

“E. Model guidelines for broadcasting of the proceedings and other judicial events of the Supreme Court of India

A. Kind of matters to be live-streamed

1. Proceedings involving the hearing of cases before the Supreme Court shall be live-streamed in the manner provided below:

a) Cases falling under the following categories shall be excluded as a class from live-streaming:

(i) Matrimonial matters, including transfer petitions;

(ii) Cases involving sensitive issues as in the nature of sexual assault; and

(iii) Matters where children and juveniles are involved, like POCSO cases.

b) Apart from the general prohibition on streaming cases falling in the above categories, the presiding judge of each courtroom shall have the discretion to disallow live-streaming for specific cases where, in his/her opinion, publicity would prejudice the interests of justice. This may be intimated by the presiding judge in advance or live-streaming may be suspended as and when a matter is being heard; and

c) Where objections are filed by a litigant against live-streaming of a case on grounds of privacy, confidentiality, or the administration of justice, the final authority on live-streaming the case shall lie with the presiding judge.

2. In addition to live-streaming of courtroom proceedings, the following events may also be live-streamed in future subject to the provisions of the Rules:

(a) Oath ceremonies of the Judges of the Supreme Court and speeches delivered by retiring judges and other judges in the farewell ceremony of the respective Supreme Court Judges; and

(b) Addresses delivered in judicial conferences or Full Court References or any event organized by the Supreme Court or by advocate associations affiliated to the Supreme Court or any other events.

B. Manner of live-streaming

1. Live-streamed and archived videos of the broadcast shall be made available on the official website of the Supreme Court. The recorded broadcast of each day shall be made available as archives on the official website of the Supreme Court by the end of the day;
2. Live-streaming shall commence as soon as the judges arrive in the courtroom and shall continue till the Bench rises;
3. The presiding judge of the courtroom shall be provided with an appropriate device for directing the technical team to stop live-streaming, if the Bench deems it necessary in the interest of administration of justice;
4. Live-streaming of the proceedings should be carried out with a delay of two minutes;
5. Proceedings shall only be live-streamed during working hours of the court;
6. Courtroom proceedings will continue to be live-streamed unless the presiding judge orders the recording to be paused or suspended;
7. To give full effect to the process of live-streaming, advocates addressing the Bench, and judges addressing the Bar, must use microphones, while addressing the Court;
8. Recording of courtroom proceedings shall be done by the Registry with the technical support of National Informatics Centre or any other public/ private agency authorised by the Supreme Court or the Ministry of Information and Technology; and
9. The portions of proceedings which are not broadcast online, on the direction of the presiding judge of the Bench shall not be made part of the official records and shall be placed separately as 'confidential records'.

C. Technical specifications for live-streaming

1. Live-streaming shall be conducted by the Supreme Court with its own camera-persons or by an authorized agency. No person who is not authorized by the Supreme Court will be permitted to record any proceeding;
2. Cameras should be focused only on the judges and advocates pleading before the Bench in the matter being live-streamed;
3. Cameras shall not film the media and visitor's galleries;
4. Cameras may zoom in on the Bench when any judge is dictating an order or judgment or making any observation or enquiry to the advocate; and

5. The following communications shall not be filmed:

- a) Discussions among the judges on the Bench;
- b) Any judge giving instructions to the administrative staff of the courtroom;
- c) Any staff member communicating any message to the judge or circulating any document to the judge;
- d) Notes taken down by the judge during the court proceedings; and
- e) Notes made by an advocate either on paper or in electronic form for assistance while making submissions to the court.

D. Archiving

- 1. The audio-visual recording of each day's proceedings shall be preserved in the Audio-Visual Unit of the Supreme Court Registry;
- 2. Archives of all broadcasts of courtroom proceedings which have been live-streamed should be made available on the website of the Supreme Court; and
- 3. Hard copies of the video footage of past proceedings may be made available according to terms and conditions to be notified by the Supreme Court Registry. The video footage shall be made available for the sole purpose of fair and accurate reporting of the judicial proceedings of the Supreme Court.

E. Broadcast Room

- 1. The Registry will make one or more rooms or a hall available within the premises of the Supreme Court for the purpose of broadcasting the proceedings. Multiple screens along with the other necessary infrastructural facilities shall be installed, for enabling litigants, journalists, interns, visitors and lawyers to view the courtroom proceedings in the broadcast room(s). Special arrangements will be made for the differently abled.

F. Miscellaneous

- 1. The Supreme Court shall hold exclusive copyright over videos streamed online and archived with the Registry; and
- 2. Re-use, capture, re-editing or redistribution, or creating derivative works or compiling of the broadcast or video footage, in any form, shall not be permitted except as may be notified in the terms and conditions of use and without the written permission of the Registry.”