

Contempt of Court: Notes for UPSC Polity

Contempt of court is the offence of being defiant or disrespectful to the court of law. Being impolite to legal authorities in the courtroom, or rebelliously failing to follow a court order may draw Contempt of Court proceedings. A judge can levy sanctions such as a penalty or prison for someone found guilty of contempt of court.

This concept is an important part of the Polity segment of the IAS Exams.

Definition of Contempt of Court

Contempt of court, often referred to simply as "contempt", is the offense of being disobedient to or disrespectful toward a court of law and its officers in the form of behavior that opposes or defies the authority, justice and dignity of the court. A similar attitude towards a legislative body is termed contempt of Parliament.

There are broadly two categories of contempt:

1. Being disrespectful to legal authorities in the courtroom.
2. Willfully failing to obey a court order.

Contempt proceedings are especially used to enforce equitable remedies, such as injunctions. In some jurisdictions, the refusal to respond to subpoena, to testify, to fulfill the obligations of a juror, or to provide certain information can constitute contempt of the court.

What is the punishment for Contempt of Court?

A finding of being in contempt of court may result from a failure to obey a lawful order of a court, showing disrespect for the judge, disruption of the proceedings through poor behavior, or publication of material or non-disclosure of material, which in doing so is deemed likely to jeopardize a fair trial. A judge may impose sanctions such as a fine or jail for someone found guilty of contempt of court, which makes contempt of court a process crime. Judges in common law systems usually have more extensive power to declare someone in contempt than judges in civil law systems.

Relevant Questions regarding Contempt of Court

What is the punishment for Contempt of Court in India?

Both the High Court and the Supreme Court of India are bestowed with the power to punish for the contempt of the court.

According to the Indian Penal Code Section 12 of Contempt of Court Act, 1971, a contempt of court can 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.

What are the types of Court of Contempt

There are two types of contempt of court:

- Criminal Contempt of Court
- Civil Contempt of Court.

Civil contempt often involves the failure of someone to comply with a court order. Judges use civil contempt sanctions to coerce such a person into complying with a court order the person has violated.

Whereas for criminal contempt of court, the charges are punitive, meaning they serve to deter future acts of contempt by punishing the offender no matter what happens in the underlying proceeding.