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## SC to hear petition against contempt law on August 10

Plea challenges 'incurably vague' nature of legislation

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A Bench of Justices D.Y. Chandrachud and K.M. Joseph of the Supreme Court is scheduled to hear a writ petition jointly filed by veteran journalists N. Ram and Arun Shourie, along with advocate Prashant Bhushan, against the "incurably vague" law of holding a person in contempt for 'scandalising the court'.

The Bench is scheduled to hear the case on August 10. It will be a virtual court hearing.

The petition has challenged the legality of Section 2(c)(i) of the Contempt of Court Act and the "chilling effect" it has on free speech and right to dissent.

This plea has come even as the top court has reserved its judgment on a *suo motu* contempt action against Mr. Bhushan for two of his tweets. The court has already



Prashant Bhushan

dy, in an order initiating contempt, said the tweets undermine the authority of the court. The same Bench, led by Justice Arun Mishra, has also reserved its verdict on a 2009 contempt case against Mr. Bhushan for his comments about the judiciary in an interview to *Tehelka* magazine.

Section 2(c) (i) holds it is criminal contempt if a person publishes, by words spoken or written or by any other act, anything "which scandalises or tends to scan-

dalise or lowers or tends to lower the authority of any court."

"Scandalising the court" is rooted in colonial assumption and objects, which have no place in legal orders committed to democratic constitutionality and maintenance of an open robust public sphere," the petition said.

### 'Allow further evidence'

Meanwhile, Mr. Bhushan on Thursday asked the Supreme Court to allow him to lead further evidence in his defence against the *suo motu* contempt action initiated on two of his tweets.

Mr. Bhushan said he was entitled under Section 17(5) of the Contempt of Courts Act of 1971 to mount his defence by filing a comprehensive affidavit.

The noted civil rights lawyer said an affidavit filed by him last week was only a preliminary one.