Polity & Governance · GS - II

Examine the constitutional powers of the Supreme Court to punish for contempt of court. How can judicial authority be protected while maintaining freedom of speech and expression?

EXAM YEAR	PAPER	SUBJECT
DAILY PRACTICE 06/11/2026	GS - II	Polity & Governance

MARKS	WORD LIMIT
10	~150 words

Answer Hint

Article 129, Article 215, Contempt of Courts Act 1971, civil contempt, criminal contempt, judicial independence, institutional integrity, Article 19(1)(a), reasonable restrictions, fair criticism, constitutional balance.

Model Answer

Introduction

An independent judiciary is essential for upholding the Constitution and the rule of law. Contempt powers protect the authority of courts and ensure the effective administration of justice.

Constitutional and Legal Framework

Article 129 empowers the Supreme Court, as a court of record, to punish for contempt of itself. Similarly, Article 215 grants this power to High Courts. The Contempt of Courts Act, 1971, recognises civil contempt, involving wilful disobedience of court orders, and criminal contempt, involving acts that substantially interfere with or obstruct the administration of justice.

Balancing Judicial Authority and Free Speech

Article 19(1)(a) guarantees freedom of speech and expression. Fair criticism of judicial decisions is essential in a democracy. However, deliberate interference with judicial proceedings or obstruction of justice may attract contempt proceedings.

Way Forward

Contempt powers should be exercised cautiously, proportionately and with due regard to constitutional freedoms.

Conclusion

Protecting judicial independence and preserving democratic criticism are complementary constitutional objectives. Their balance strengthens public confidence in the judiciary.