

INTRODUCTORY NOTE

In the summer of 1980, the Press Council of India requested the Indian Law Institute to examine the law relating to contempt of court in so far as it affected the press. This essay is a response to that request.

I have tried to outline the problems of the press and the needs of the judiciary (Chapter I), examine how the contempt power has been transformed in various jurisdictions and used for all kinds of diverse social, political and other purposes (Chapter II), trace the political origins of the introduction of this jurisdiction in India and the manner in which British and Indian politicians have concerned themselves with reforming the law of contempt in India (Chapter III) and evaluate the working of the Contempt of Courts Act, 1971 (Chapter IV). I have then considered the competing demands of the individual, the press and the judiciary in the context of the public interest (Chapter V) and compared the alternative strategies which have been employed in other countries (Chapter VI). A summary of some of my main observations and conclusions has also been appended. The other Appendices provide additional information about statutes and reports on contempt of court. While each chapter is intended to be self contained, the chapters form part of a continuous theme.

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