

# [Although, providing for an exhaustive list of conditions](https://assignbuster.com/although-providing-for-an-exhaustive-list-of-conditions/)

[Law](https://assignbuster.com/essay-subjects/law/)

Although, in lieu of the afore-enunciatedposition, the significance of cameras in courts can by no means bedisregarded, nonetheless, the accessibility of the same has to be organized andmethodizedin an effort to prevent subversion of justice and safeguard theindependence of judiciary. Following are some suggestions which unavoidablyshall be incorporated :-1.     In view of the Right to Fair trial of the accused, reasonablenessdemands that in cases involving criminal offences, the audio recordings of theproceedings should not be made attainable by the public by any means, or elsethe presumption of innocence until proven guilty could be jeopardized bysensitization of the issue. 2.     The appellate courts should be at liberty to have an access to both: video and audio recordings of civil and criminal proceedings, in order toascertain the quality and veracity of the evidence recorded in the lowercourts.

3.     The video and audio recordings of court proceedings in civil casesshould be brought within the ambit of RTI, in order to educate the public aboutthe judicial proceedings, whereas, in criminal cases, simply video recordingsshould be obtainable as far as the public is concerned. 4.     As far as broadcasting of the court proceedings by the media personnelis concerned, the same shall be constrained in a manner that trial by media isnot facilitated. The use of recorded proceedings should be prevented from beingused in satire, entertainment, mockery or for any commercial use orcontrariwise it should be punishable. 5.

No proceedings should beaccessible to the public which have been expressly or impliedly prohibited by alaw enacted by the Parliament in the interest of security of the state, sovereignty and integrity of India, friendly relations with foreign states etc. 6.     Specific list of rules under the RTI Act and the respective High Courtrules shall be enacted providing for an exhaustive list of conditions requiredto obtain the CCTV footage of the Court proceedings, appended with the list ofexceptions to the said rules, meaning thereby that there should be minimumscope for interpretation of the rules, by way of which the Court can refuse toprovide any CCTV footage.  Among otherthings it shall also provide the rules on the basis of which the recordings ofthe court proceedings can be challenged, in order to circumvent frivolouscomplaints and save the time of the court.

7.     The non-appointment of respective authorities as provided under the RTIAct such as Public Information Officer, by the Courts, acts as a majorimpediment to the implementation of the provisions of the RTI Act itself, therefore strict measures shall be taken to ensure that the Court appoints suchofficers at the first place, who can provide such information as and when it isasked for. 8.

Lastly, as far as educating the masses about judicial proceedings isconcerned the CCTV footage should be madeattainable to the public only afterconclusion of arguments and final verdict, whereas, the same should beaccessible to the parties to the case while the matter is sub judice  as well inasmuch the party seeks to reportregarding some judicial misconduct or produce in its defence in appeal.