

Although, providing  
for an exhaustive list  
of conditions

Law



Although, in lieu of the afore-enunciated position, the significance of cameras in courts can by no means be disregarded, nonetheless, the accessibility of the same has to be organized and methodized in an effort to prevent subversion of justice and safeguard the independence of judiciary. Following are some suggestions which unavoidably shall be incorporated :-

1. In view of the Right to Fair trial of the accused, reasonableness demands that in cases involving criminal offences, the audio recordings of the proceedings should not be made attainable by the public by any means, or else the presumption of innocence until proven guilty could be jeopardized by sensitization 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 to ascertain the quality and veracity of the evidence recorded in the lower courts.

3. The video and audio recordings of court proceedings in civil cases should be brought within the ambit of RTI, in order to educate the public about the judicial proceedings, whereas, in criminal cases, simply video recordings should be obtainable as far as the public is concerned.

4. As far as broadcasting of the court proceedings by the media personnel is concerned, the same shall be constrained in a manner that trial by media is not facilitated. The use of recorded proceedings should be prevented from being used in satire, entertainment, mockery or for any commercial use or contrariwise it should be punishable.
- 5.

No proceedings should be accessible to the public which have been expressly or impliedly prohibited by law enacted by the Parliament in the interest of security of the state, sovereignty and integrity of India, friendly relations with

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foreign states etc. 6. Specific list of rules under the RTI Act and the respective High Court rules shall be enacted providing for an exhaustive list of conditions required to obtain the CCTV footage of the Court proceedings, appended with the list of exceptions to the said rules, meaning thereby that there should be minimum scope for interpretation of the rules, by way of which the Court can refuse to provide any CCTV footage. Among other things it shall also provide the rules on the basis of which the recordings of the court proceedings can be challenged, in order to circumvent frivolous complaints and save the time of the court.

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

Lastly, as far as educating the masses about judicial proceedings is concerned the CCTV footage should be made attainable to the public only after conclusion of arguments and final verdict, whereas, the same should be accessible to the parties to the case while the matter is sub judice as well inasmuch the party seeks to report regarding some judicial misconduct or produce in its defence in appeal.