

**GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF LEGAL AFFAIRS**

RAJYA SABHA

**UNSTARRED QUESTION NO.1210
TO BE ANSWERED ON THURSDAY, THE 11th FEBRUARY, 2021**

Guidelines for Contempt Proceedings

1210. DR. AMEE YAJNIK:
SMT. PHULO DEVI NUTAM

Will the Minister of LAW AND JUSTICE be pleased to state:

- (a) whether the Government has received from or issued any communication to the Attorney General of India regarding giving consent to contempt proceedings against cartoonists, comedians and other artists;
- (b) if so, the details thereof;
- (c) whether Government has laid out any advisories or guidelines on giving consent to contempt proceedings in the country;
- (d) if so, the details thereof; and
- (e) the total number of contempt proceedings assented to by the Attorney General of India in the Supreme Court since 2005, year-wise?

ANSWER

**MINISTER OF LAW & JUSTICE, COMMUNICATIONS AND
ELECTRONICS & INFORMATION TECHNOLOGY
(SHRI RAVI SHANKAR PRASAD)**

(a) & (b): The power to grant consent for initiating contempt proceedings is a statutory power conferred on the Attorney General for India under Section 15 of the Contempt of Courts Act, 1971. This is a power to be exercised by the Attorney General exclusively on his best judgment and is not a power which can be the subject of directions by the Government of India. As such no communication has been sent by the Attorney General to the Government nor has the Government issued any

communications to the Attorney General regarding grant of consent to initiate criminal contempt proceedings.

(c) & (d): For the reasons mentioned in reply to parts (a) & (b), no such advisories or guidelines can be given by the Government.

(e) There is no information or particulars regarding the total number of contempt proceedings assented to by the previous Attorneys General from 2005 to June 2017. Shri K.K. Venugopal was appointed as Attorney General for India on 01 July, 2017. During the years 2017, 2018 and 2019 he did not grant any consent.

In the year 2020, he has granted consent under Section 15 of the Contempt of Courts Act, 1971 for the following cases only out of a total of 41 requests received during the year:

(i) In respect of tweets dated 11.11.2020 by Shri Kunal Kamra, consent has been granted on 12.11.2020 to Mr. Abhyudaya Mishra, Mr. Amey Abhay Susikar, Mr. Pratik Basale, Mr. Skand Bajpai, Mr. Abhishek Sharad Raskar, Ms. Nitika Duhan, Mr. Shrirang Katneshwarkar, and Mr. Saityendra Vinayak Muley.

(ii) In respect of tweet dated 18.11.2020 by Shri Kunal Kamra, consent has been granted on 18.11.2020 to Mr. Ahyudaya Mishra and Mr. Skand Bajpai.

(iii) In respect of tweets dated 11.11.2020 by Ms. Rachita Taneja, consent has been granted on 01.12.2020 to Mr. Aditya Kashyap.