

SECTION XVII

MATTER FOR :05.08.2020

COURT NO.:

ITEM NO. :

IN THE SUPREME COURT OF INDIA
ORIGINAL JURISDICTION

SUO MOTU CONTEMPT PETITION (CRL.) NO. 01 OF 2020

IN RE: PRASHANT BHUSHAN & ANR.

...ALLEGED CONTEMNORS

OFFICE REPORT

The matter above mentioned was listed before the Hon'ble Court on 22.07.2020, when the Court was pleased to pass the following order:

"This petition was placed before us on the administrative side whether it should be listed for hearing or not as permission of the Attorney General for India has not been obtained by the petitioner to file this petition. After examining the matter on administrative side, we have directed the matter to be listed before the Court to pass appropriate orders. We have gone through the petition. We find that the tweet in question, made against the CJI, is to the following effect :-

"CJI rides a 50 Lakh motorcycle belonging leader at Raj Bhavan Nagpur, without a helmet, at a time when he keeps the SC in mode denying citizens their fundamental access justice!"

Apart from that, another tweet has been published today in the Times of India which was made by Shri Prashant Bhushan on June 27,2020, when he tweeted, "When historians in future look back at the last 6 years to see how democracy has been destroyed in India even without a formal Emergency, they will particularly mark the role of the Supreme Court in this destruction, & more particularly the role of the last 4 CJIs."

We are, *prima facie*, of the view that the aforesaid statements on Twitter have brought the administration of justice in disrepute and are capable of undermining the dignity and authority of the Institution of Supreme Court in general and the office of the Chief Justice of India in particular, in the eyes of public at large.

We take suo motu cognizance of the aforesaid tweet also apart from the tweet quoted above and suo motu register the proceedings.

We issue notice to the Attorney General for India and to Mr. Prashant Bhushan, Advocate also.

Shri Sajan Poovayya, learned senior counsel has appeared along with Mr. Priyadarshi Banerjee and Mr. Manu Kulkarni, learned counsel appearing on behalf of the Twitter, and submitted that the Twitter Inc., California, USA is the correct description on which the tweets were made by Mr. Prashant Bhushan. Let the reply be also filed by them.

List on 05.08.2020."

Pursuant to above Order dated 22.07.2020, contempt notice was sent to the alleged contemnor No. 1 through e-mail on 24.07.2020. Notice was also issued to the Attorney General for India by special messenger on 24.07.2020 in Supreme Court premises.

Further, an email has also been sent to the counsel for alleged contemnor no. 2 on 25.07.2020 to file its reply pursuant to above order which has not been filed so far.

It is submitted that Mr. Prashant Bhushan, Alleged contemnor No. 1 has sent a letter through e-mail on 28.07.2020 requiring certified copies of administrative order and the petition. (Copy enclosed herewith for perusal of the Hon'ble Court.) In this connection it is submitted that Order XIII Rule 7 of Supreme Court Rules, 2013 says as under :-

Order XIII Rule 7 of Supreme Court Rules, 2013

"7. Notwithstanding anything contained in this order, no party or person shall be entitled as of right to receive copies of or extracts from any minutes, letter or document of any confidential nature or any paper sent, filed or produced, which the Chief Justice or the Court directs to keep in sealed cover or considers to be of confidential nature or the publication of which is considered to be not in the interest of the public, except under and in accordance with an order specially made by the Chief Justice or by the Court."

Service of Contempt Notice is complete in the matter.

The matter above-mentioned is listed before the Hon'ble Court with this office report for such orders as may deem fit.

DATED THIS THE 31ST DAY OF AUGUST, 2020.

ASSISTANT REGISTRAR

Copy to : Ms. Hima Lawrence, Advocate

ASSISTANT REGISTRAR