

SC ruling On Right to Open Court Proceedings

SC ruling on right to know about judicial proceedings and proceedings to be in open court and to be made available in public domain.

1. The Hon'ble Supreme Court in their recent judgement in the case of The Chief Election Commissioner of India v. M.R Vijayabhaskar & Ors Civil Appeal No. 1767 of 2021.
2. Held that in-camera proceedings in court must only be held in exceptional category cases involving child abuse, matrimonial proceedings, etc.
3. All other proceedings must be in the open court and should be available in the public domain.
4. Also held that citizens have right to know about what transpires in the course of judicial proceedings.
5. Oral arguments result in open exchange of ideas, legal arguments are tested and analysed and citizens have a legitimate right to be informed on issues raised by the courts.
6. Besides, open court proceedings ensure that judicial process is subject to scrutiny and transparency and accountability is maintained.
7. Open court system is essential in the functioning of democratic institutions and is crucial to establish public faith in them.
8. Open courts ensure that judges act in accordance with law and with probity.
9. Hence, an open court system is a must and cannot be done away with. These are the considered views of the Hon'ble Court in the matter and accordingly Tribunal, which admittedly is a court should not be made faceless.

It is an interesting development which would help Income tax appellate tribunal or other assessments not to be made faceless or may develop into choice of the appellant or the parties involved.