

**RULES TO REGULATE THE PROCEEDINGS FOR CONTEMPT OF  
SUBORDINATE COURTS AND OF THE HIGH COURT UNDER  
THE CONTEMPT OF COURTS ACT, 1952**

**32 of 1952**

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In exercise of the powers conferred under Articles 215 and 225 of the Constitution of India, Section 129 of the Code of Civil Procedure, the Contempt of Courts Act, 1952 and the inherent powers of the High Court and all other powers hereunto enabling the High Court of Karnataka at Bangalore to make the following rules to regulate the proceedings for Contempt of Subordinate Courts and of the High Court under the Contempt of Courts Act, 1952 (Central Act XXXII of 1952)

**1. Proceedings under the Act may be initiated :-**

- (a) by the High Court on its own motion by an order; or
- (b) by cases of contempt of Subordinate Courts referred to the High Court and upon orders of the High Court thereon; or
- (c) by an application presented by a party or parties aggrieved.

**2. . :-**

Cases of Contempt of Subordinate Courts referred to the High Court by them shall be first dealt with on the administrative side. They will be placed before the Chief Justice who may pass an order on them himself or direct that they be placed before any other Judge. In the event an order is made for instituting contempt proceedings, the necessary papers shall be sent to the Advocate-General for conducting the proceedings as provided in Rule 10.

**3. . :-**

Every application or order initiating the proceedings under the Act shall bear the cause title "Contempt of Courts Case". The applicant shall be called the "Complainant" and the opposite party the "accused". In cases coming under clauses (a) and (b) of Rule 1 the State of Karnataka shall be described as the Complainant.

**4. . :-**

An application under sub-clause (c) of Rule 1 shall contain in precise language a statement setting forth the facts constituting the alleged contempt, supported by an affidavit, and shall be presented in the manner required by Rules 1 and 2 of the High Court Rules.

**5. . :-**

On the passing of an order for the initiation of proceedings under the Act by the High Court under sub-clauses (a) and (b) of Rule (1) or on the admission of the petition presented under sub-clause (c) of Rule (1) a distinctive serial number shall be given and all further proceedings connected therewith shall bear that number.

**6. . :-**

A copy of the order under sub-clauses (a) and (b) of Rule (1) and such other papers as may be deemed necessary by the Judge passing orders under rule (2) or the copy of the petition under sub-clause (c) of Rule (1) shall be served on the accused person or persons as the case may be to show cause against such proceedings.

**7. . :-**

The Registrar shall fix the date and place of hearing and issue summons, generally, in the first instance for the appearance of the accused.

7(a) The accused on such appearance may file his objections, if any, in the form of an affidavit, showing cause against such order or petition.

7(b) On considering the cause shown under clause 7(a) and after hearing the parties, the High Court may proceed to try the accused if in the opinion of the High Court a prima facie case appears to have been made out or may discharge the accused if no such case has been made out.

**8. . :-**

The rules of the High Court governing issue of processes shall apply for every process issued under the Act.

**9. . :-**

Every contempt application shall be heard by a Bench of not less than two Judges and shall be posted before such Bench as the Chief Justice may direct.

**10. . :-**

The Advocate-General shall appear and conduct the proceedings initiated under sub-clauses (a) and (b) of Rule (1). In proceedings initiated under clause (c) of Rule (1) the complainant will have the right of being represented by an Advocate of the High Court competent to appear in such High Court to conduct the prosecution.

**11. . :-**

Every accused against whom proceedings are initiated under the Act may of right be defended by an Advocate of his choice competent to appear before the High Court.

**12. . :-**

The procedure prescribed for summary trials under Chapter XXII of the Code of Criminal Procedure, 1898 shall so far as may be applicable be followed in the trial of cases under the Act.

**13. . :-**

The provisions of the Code of Criminal Procedure, 1898, in so far only as they are not inconsistent with the Act and these rules shall be applicable in the trial of cases under the Act.

**14.** . :-

Every process under the Act issued against the accused residing outside the jurisdiction of the High Court, shall be sent for service to the District Judge, within the local limits of whose jurisdiction such person resides.

**15.** . :-

The Registrar shall draw up orders made on Contempt application and see that fines and costs, if any, imposed are paid and the orders of the Court are duly carried out by suitable process in execution.