

**GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA**

UNSTARRED QUESTION NO:492
ANSWERED ON:25.02.2010
SUPREME COURT BENCHES
Tewari Shri Manish

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

- (a) whether the Government has decided to change the character of the Supreme Court by setting up four Supreme Court Benches in Delhi, Mumbai, Kolkata, Chennai/Hydrabad as ostensibly recommended by the Law Commission;
- (b) if so, the details thereof and reaction of the Government thereto;
- (c) whether changing of the character of the Supreme Court require an amendment to the Constitution of India;
- (d) if so, the details thereof;
- (e) whether the Attorney General of India has opined against any more to alter the character of the Supreme Court;
- (f) if so, the details thereof;
- (g) whether the Chief Justice of India or other Judges of the Supreme Court been asked or have expressed any opinion on the above subject: and
- (h) if so, the details thereof.

Answer

MINISTER OF LAW AND JUSTICE (Dr. M. VEERAPPA MOILY)

(a) to (h): A statement is laid on the Table of the House.

Statement referred to in reply to parts (a) to (h) of the Unstarred Question No.492 for answer in Lok Sabha on 25-02-2010

The Law Commission of India, in its 229th Report, has recommended as under:

- (1) A Constitution Bench be set up at Delhi to deal with constitutional and other allied issues.
- (2) Four Cassation Benches be set up in the Northern region/zone at Delhi, the Southern region/zone at Chennai/Hyderabad, the Eastern region/zone at Kolkata and the Western region/ zone at Mumbai to deal with all appellate work arising out of the orders/judgments of the High Courts of the particular region.
2. Giving reasons, the Attorney General for India has intimated that the above recommendations require wide ranging amendments that would change the constitution of the Supreme Court completely. In his opinion, this is impermissible and a Constitutional amendment of this kind is simply unacceptable.
3. The response of the Chief justice of India is awaited.