

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

STARRED QUESTION NO:297
ANSWERED ON:15.04.2010
SUPREME COURT BENCHES
Karunakaran Shri P.;Naranbhai Shri Kachhadia

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

- (a) whether the Union Government has received proposals from various State Governments and others for setting up of regional benches of the Supreme Court and High Courts in the States;
- (b) if so, the details thereof; and
- (c) the follow up action taken thereon?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF LAW AND JUSTICE (Dr. M. VEERAPPA MOILY)

(a) to (c): A Statement is laid on the Table of the House.

Statement referred to in reply to Parts (a), (b) and (c) of the Lok Sabha Starred Question No. 297 for 15.04.2010

(a), (b) & (c) : A statement showing the proposals received for setting up benches of the Supreme Court and the High Courts is placed at Annexure-I.

Article 130 of the Constitution provides that the Supreme Court shall sit in Delhi or in such other places, as the Chief Justice of India may, with the approval of the President, from time to time, appoint.

The Chief Justice of India informed that after consideration of the matter, the Full Court in its meeting held on 18th February, 2010 found no justification for setting up of Benches of the Supreme Court outside Delhi.

The setting up of a Permanent Bench of a High Court is considered by the Government only after receipt of a complete proposal, in terms of section 51(2) of the States Reorganisation Act, 1956, from the State Government which has the consent of the Chief Justice of the concerned High Court and the Governor of the State. The Government had approved in the year 2006 setting up of a Bench of the Calcutta High Court at Jalpaiguri. However, the Presidential Order has not been issued yet as the infrastructural facilities at Jalpaiguri for operation of the Bench have not been found satisfactory by the Chief Justice of the Calcutta High Court. While requests have been received from some other State Governments and private organisations for creation of Benches of the High Courts away from principal seat, no complete proposal has been received for establishment of a Bench from any of the State Governments.