

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

STARRED QUESTION NO:210

ANSWERED ON:03.12.2009

SETTING UP OF BENCHES OF SUPREME COURT AND HIGH COURTS

Panda Shri Baijayant;Pradhan Shri Nityananda

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

- (a) whether the Government has received proposals from various State Governments for setting up of regional Benches of Supreme Court and High Courts in their respective States;
- (b) if so, the details thereof and the status of the proposals received till date State-wise;
- (c) the details of the criteria adopted by the Government for setting of additional Benches of High Court in the States; and
- (d) the number of such benches set up so far and the number of Benches proposed to be set up in the country. State-wise?

Answer

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

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

Statement in reply to Parts fa), (bl. (c) & fd) of the Lok Sabha Starred Question No. 210 for answer on 03.12.2009.

1. 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' Reorganization 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. While requests have been received from some State Governments 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 State Government.

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

The Government has not received any proposal from the Chief Justice of India for setting up of a Bench of the Supreme Court outside Delhi.

3. A list of the requests received from States for creation of Benches of the Supreme Court and High Courts is placed at Annexure I.

4. The Jaswant Singh Commission set up by the Government had recommended certain criteria for setting up of Benches of the High Courts in the States. A summary of these recommendations is at Annexure II.

5. A statement of the Permanent Benches of High Courts created so far, is placed at Annexure III. The Government had approved in the year 2006 setting up of a Bench of the Calcutta High Court at Jalpaiguri. However, the Presidential Order for establishing the same 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.