

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

STARRED QUESTION NO:54

ANSWERED ON:15.03.2012

BENCHES OF HIGH COURTS

Meghwal Shri Arjun Ram ;Tharoor Shri Shashi

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

- (a) the details of the criteria for establishing divisional and circuit benches of High Courts;
- (b) whether any requests for setting up such divisional or circuit benches have been received from any State Government in respect of the High Courts located in those States;
- (c) if so, the details thereof; and
- (d) the steps taken by the Government in this regard?

Answer

MINISTER OF LAW AND JUSTICE (SHRI SALMAN KHURSHID)

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

Statement referred to in reply to part (a) to (d) of the Lok Sabha Starred Question No.54 for answer on 15.03.2012.

(a): In terms of Section 51 of the States' Reorganisation Act, 1956, setting up of Benches of a High Court is considered by the Government of India after receipt of a complete proposal from the State Government, which has to have the consent of the Chief Justice of the concerned High Court and the Governor of the State. This is essential also because the State Government is required to provide necessary infrastructural facilities for establishment of a Bench of the High Court away from its principal seat and meet the entire expenditure of the High Court and its Benches. The Chief Justice of the concerned High Court has to look after the day-to-day administration of the High Court and its Benches and depute Judges from the Principal Seat to its Benches from time to time.

(b) to (d): Four proposals for establishing Benches of High Courts have been received from the State Governments. The status of these proposals is as under:

(i) Proposal received from the State Government of Karnataka for establishing two Circuit Benches of Karnataka High Court at Dharwad and Gulbarga as Permanent Benches has the consent of the Chief Justice of the Karnataka High Court. This is awaiting approval of the competent authority.

(ii) Proposal received from the State Government of West Bengal for establishment of circuit bench of the Calcutta High Court at Jalpaiguri has the consent of the Chief Justice of the Calcutta High Court. But it is not making further headway because the infrastructure facilities provided for establishment of the temporary Circuit Bench in Jalpaiguri have not been found to be satisfactory nor are the premises found suitable.

(iii) Proposal received from the State Government of Kerala for setting up a Bench of Kerala High Court at Thiruvananthapuram has not been agreed to by the Chief Justice of the High Court of Kerala.

(iv) Proposal received from the State Government of Himachal Pradesh for establishment of a Bench of Himachal Pradesh High Court at Dharamsala has not been agreed to by the Chief Justice of the High Court of Himachal Pradesh.