

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

UNSTARRED QUESTION NO:2162

ANSWERED ON:18.12.2013

SETTING UP OF HCS

Begum Tabassum ;J Helen Davidson;Jardosh Smt. Darshana Vikram

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

- (a) whether the Government proposes to set up new High Court benches in the States;
- (b) if so, the details of the proposals received by the Government in this regard during each of the last three years and the current year, State-wise;
- (c) the reaction of the Government thereon and the present status of the said proposals, location-wise along with the recommendations of the Law Commission, if any, in this regard;
- (d) whether the Government proposes to seek the opinion of the Supreme Court and High Courts of concerned States in this regard and if so, the details thereof and if not, the reasons therefor, State-wise; and
- (e) the steps taken by the Government in this regard and the time by which the said benches are likely to be set up?

Answer

MINISTER OF LAW AND JUSTICE AND COMMUNICATIONS & INFORMATION TECHNOLOGY (SHRI KAPIL SIBAL)

(a) to (e) Considering the recommendations made by the Jaswant Singh Commission and judgment pronounced by the Apex Court in W.P.(C) No. 379 of 2000, Bench(es) of the High Court are established after due consideration of a complete proposal from the State Government which is to provide infrastructure and meet expenditure and should also have the consent of the Chief Justice of the concerned High Court which is required to look after the day to day administration of the High Court and its Bench.

The status of requests from the State Governments for establishment of Benches of High Courts is as follows:

1. Karnataka: Two Permanent Benches of the Karnataka High Court were established at Dharwad and Gulbarga in August, 2013.
2. West Bengal: The Calcutta High Court has intimated that the infrastructure facilities for establishment of Circuit Bench at Jalpaiguri are not adequate at present, it will take some more time to establish a Circuit Bench. Accordingly, the Hon'ble President has been apprised and his approval obtained for issuing the necessary notification/order after the Calcutta High Court intimates the readiness of all infrastructure.
3. Kerala: The request of the State Government for establishment of Kerala High Court Bench at Thiruvananthapuram had not been found suitable or feasible by the Chief Justice of the Kerala High Court.
4. Himachal Pradesh: Proposal for establishment of a Bench of Himachal Pradesh High Court at Dharmasala, has not been agreed to by the Chief Justice of the Himachal Pradesh High Court.
5. Odisha: Proposal for establishment of two Benches of the Orissa High Court in the Western and Southern regions of Odisha was referred to the Chief Justice, Orissa High Court. The Chief Justice, Orissa High Court has intimated that the matter will be examined by the High Court in due course in the light of all facts and circumstances.