

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

STARRED QUESTION NO:252

ANSWERED ON:06.08.2015

High Court Benches

Goud Dr. Boora Narsaiah;Rathore Shri Hariom Singh

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

- (a) the norms or the procedure laid down for setting up of Benches of High Court;
- (b) the details of High Court Benches and their jurisdiction in the States, State/UT-wise;
- (c) the details of the requests received from the States for establishing of separate High Courts and Benches along with the action taken thereon including the reasons for Pendency; and
- (d) the time by which separate High Courts/Benches are likely to be set up in the States?

Answer

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI D.V. SADANANDA GOWDA)

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

Statement referred in reply to Lok Sabha Starred Question No.252 to be answered on 06.08.2015 regarding 'High Court Benches'.

(a) & (b) Considering the recommendations made by the Jaswant Singh Commission and the 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 the expenditure. The proposal 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 and the Governor of the State. A Statement showing the details of High Courts, their jurisdiction and Benches in the States is at Annexure.

(c) & (d) : The status of requests from the State Governments for establishment of separate High Courts/Benches is as follows:-

Separate High Court for States

1. The Government of Haryana has been requesting for establishment of a separate High Court for the State in Chandigarh. However, the Government of Punjab has a different view in the matter. In the absence of consensus, between the State Governments, no final decision has been taken.

2. In terms of the Andhra Pradesh Reorganisation Act, 2014, a separate High Court for the State of Andhra Pradesh has to be established, while the existing High Court will go to Telangana State. For establishment of separate High Court for Andhra Pradesh, the State Government of Andhra Pradesh has to finalise the location of the new High Court and create all required infrastructures for the same in consultation with the High Court of Judicature at Hyderabad. The State Government has been requested to take all the necessary action in this regard.

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

1. West Bengal: The Calcutta High Court and the Government of West Bengal had agreed to the establishment of a Circuit Bench of Calcutta High Court at Jalpaiguri way back in 1998. The proposal was approved by the Cabinet in 2006. However, the infrastructure provided by the State Government at Jalpaiguri is not found adequate at present by the Calcutta High Court for functioning of Circuit Bench.

2. Kerala: The request made by the State Government of Kerala in 2005 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.

3. Himachal Pradesh: The proposal of the State Government for establishment of a Bench of Himachal Pradesh High Court at Dharmasala was referred to the Chief Justice of Himachal Pradesh High Court for his views. The Chief Justice did not agree to the proposal in 2011. However, the Chief Justice agreed to review the matter after one year. The Chief Justice has again been requested

to offer his views.

4. Odisha: The proposal made by the State Government of Odisha in September, 2013 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 in October, 2013. The Chief Justice, Orissa High Court had intimated that the matter will be examined by the High Court in due course in the light of all facts and circumstances. The Chief Justice has been reminded.

5. Haryana : The State Government of Haryana has requested for establishment of a Bench of the Punjab & Haryana High Court at Southern/Western Haryana. The request made by the State Government has been forwarded to the Chief Justice of Punjab & Haryana High Court for his views.

6. Jharkhand : The State Government of Jharkhand has requested for establishment of a Bench of Jharkhand High Court at Dumka. The request made by the State Government has been forwarded to the Jharkhand High Court for their views/comments.

Setting up of Bench(es) of High Court in a State can be considered by the Central Government only on receipt of a complete proposal from the State Government which has the concurrence of the Chief Justice of the concerned High Court and Governor of the State.

Annexure

Annexure referred to in reply to part (a) & (b) of Lok Sabha Starred Question No.252 to be answered on 06.08.2015

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No.

High Court Principal

Seat Jurisdiction Permanent Bench and Date from which the Bench began functioning

1 Allahabad Allahabad Uttar Pradesh Lucknow (01.07.1948)

2 Andhra Pradesh & Telangana Hyderabad Andhra Pradesh and Telangana -

3 Bombay Mumbai Maharashtra; Goa; Daman & Diu; Dadra & Nagar Haveli; Nagpur (01.05.1960)

Panaji (01.07.1948)

Aurangabad (27.08.1984)

4 Calcutta Kolkata West Bengal & Andaman & Nicobar Islands _

5 Chhattisgarh Bilaspur Chhattisgarh -

6 Delhi New Delhi NCT of Delhi -

7 Gauhati Guwahati Assam, Nagaland, Mizoram, & Arunachal Pradesh. Kohima, (10.02.1990)

Aizawl, (05.07.1990)

Itanagar (12.08.2000)

8 Gujarat Sola (Ahmedabad) Gujarat -

9 Himachal Pradesh Shimla Himachal Pradesh -

10 Jammu & Kashmir Jammu & Srinagar Jammu & Kashmir -

11 Jharkhand Ranchi Jharkhand -

12 Karnataka Bangalore Karnataka Dharwad (24.08.2013)

Gulbarga (31.08.2013)

13 Kerala Ernakulam (Kochi) Kerala & Lakshadweep Islands -

14 Madhya Pradesh Jabalpur Madhya Pradesh Gwalior (01.11.1956)

Indore (01.11.1956)

15 Madras Chennai Tamil Nadu & Pondicherry Madurai (24.07.2004)

16 Orissa Cuttack Orissa -

17 Patna Patna Bihar -

18 Punjab & Haryana Chandigarh Punjab, Haryana & Chandigarh -

19 Rajasthan Jodhpur Rajasthan Jaipur (31.01.1977)

20 Sikkim Gangtok Sikkim -

21 Uttarakhand Nainital Uttarakhand -

22 Manipur Imphal Manipur

23 Meghalaya Shillong Meghalaya

24 Tripura Agartala Tripura