

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

UNSTARRED QUESTION NO:3139

ANSWERED ON:11.12.2014

SETTING UP OF HIGH COURTS

Biju Shri Parayamparanbil Kuttappan;Gutha Shri Sukender Reddy;Kaswan Shri Rahul;Kothapalli Smt. Geetha;Sethi Shri Arjun Charan

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

- (a) the name of States/UTs in the country which do not have High Court or benches of High Court;
- (b) whether the Government has received any request to set up High Court or benches of High Court in the aforesaid States including Andhra Pradesh, Rajasthan and Thiruvana- nthapuram; and
- (c) if so, the details thereof along with the action taken thereon and the criteria laid down therefor?

Answer

MINISTER OF LAW AND JUSTICE (SHRI D.V. SADANANDA GOWDA)

(a): All the States/UTs in the country are covered by one High Court or the other. A Statement showing the details of High Courts, its jurisdiction and their Benches in the States is at Annexure.

(b) and(c): Requests for establishment of High Court Benches in different parts of the country have been received from various sources. However, in accordance with 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 the expenditure, along with th consent of the Chief Justice of the concerned High Court, which is required to look after the day to day administ- ration of the High Court and its Bench.

The Government of West Bengal had sent a proposal for establishment of a Circuit Bench of the Calcutta High Court at Jalpaiguri. The Calcutta High Court has intimated that the infrastructure facilities for establishment of Circuit Bench at Jalpaiguri are not adequate at present, and it will take some more time to establish a Circuit Bench. Accordingly, necessary notification/order in this regard will be issued after the Calcutta High Court intimates the readiness of all infrastructures.

The Government of Odisha had sent a proposal for establishment of two Benches of the Orissa High Court in the Western and Southern regions of Odisha. The matter 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.

The Government of Himachal Pradesh submitted a proposal for establishment of a Bench of Himachal Pradesh High Court at Dharmsala. However, the Chief Justice of the High Court has not agreed to the proposal. Similarly, the State Government of Kerala had sent a request in the year 2005 for setting up a bench of Kerala High Court at Thiruvananthapuram. But this was not agreed to by the Chief Justice of Kerala High Court.

There is no proposal from the Government of Andhra Pradesh or Rajasthan for establishment of Bench(es) of the High Courts in the States.

The Central Government, on 09.02.1987, had approved estab- lishment of separate High Courts in all the States in the North-Eastern region. Accordingly, separate High Courts have been established w.e.f. 23.03.2013 in the States of Manipur, Meghalaya and Tripura. The process for providing necessary infrastructure facilities in the remaining States of Arunachal Pradesh, Nagaland and Mizoram is in progress. After completion of all infrastructure facilities, separate High Courts would be set up for these States.

There is a common High Court for the States of Punjab and Haryana and the Union Territory of Chandigarh. The Government of Haryana has been requesting for establishment of a separate High Court for the State in Chandigarh, which is being resisted by the Government of Punjab.

The Andhra Pradesh Reorganisation Act, 2014 which came into force with effect from 02.06.2014, provides for setting up of separate High Court for the State of Andhra Pradesh while the existing High Court will go to Telangana State. Once new High Court is established for Andhra Pradesh, both Telangana and Andhra Pradesh States will have separate High Courts. Till such time, the existing High Court would serve as the common High Court for both the States of Andhra Pradesh and Telangana. The process for establishment of new High Court for Andhra Pradesh has been initiated in consultation with the Supreme Court of India, State Government of Andhra Pradesh and the High Court of Telangana and Andhra Pradesh.

Annexure

Annexure referred to in reply to Lok Sabha Unstarred Question No.3139 to be answered on 11.12.2014

Sl. High Court Principal Jurisdiction Permanent

No. Seat Bench and Date

from which the
Bench began

functioning

- 1 Allahabad Allahabad Uttar Pradesh Lucknow (01.07.1948)
- 2 Telangana Hyderabad Telangana and -
and Andhra Andhra Pradesh
Pradesh
- 3 Bombay Mumbai Maharashtra; Nagpur (01.05.1960)
Goa; Daman & Panaji (01.07.1948)
Diu; Dadra & Aurangabad (27.08.1984)
Nagar Haveli;
- 4 Calcutta Kolkata West Bengal & Circuit Bench at
Andaman & Jalpaiguri (yet
Nicobar Islands to begin functi-
oning)
- 5 Chattisgarh Bilaspur Chattisgarh -
- 6 Delhi New Delhi NCT of Delhi -
- 7 Gauhati Guwahati Assam Nagaland, Kohima, (10.02.1990)
Mizoram, & Aizawl, (05.07.1990)
Arunachal Itanagar (12.08.2000)
Pradesh.
- 8 Gujarat Sola Gujarat -
- 9 Himachal Shimla Himachal -
- 10 Jammu & Jammu & Jammu & -
- 11 Jharkhand Ranchi Jharkhand -
- 12 Karnataka Bangalore Karnataka Dharwad (24.08.2013)
Gulbarga (31.08.2013)
- 13 Kerala Ernakulam, Kerala & -
Lakshadweep
Islands
- 14 Madhya Jabalpur Madhya Pradesh Gwalior (01.11.1956)
Pradesh Indore (01.11.1956)
- 15 Madras Chennai Tamil Nadu & Madurai (24.07.2004)
- 16 Orissa Cuttack Orissa -
- 17 Patna Patna Bihar -
- 18 Punjab & Chandigarh Punjab, Haryana -
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