

**Bill No. 1 of 2023**

THE SUPREME COURT OF INDIA (ESTABLISHMENT OF A  
PERMANENT BENCH AT HYDERABAD) BILL, 2023

By

DR. GADDAM RANJITH REDDY, M.P.

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*to provide for the establishment of a permanent Bench of the Supreme Court of  
India at Hyderabad in the State of Telangana.*

BE it enacted by Parliament in the Seventy-fourth Year of the Republic of India as  
follows:—

1. (1) This Act may be called the Supreme Court of India (Establishment of a  
Permanent Bench at Hyderabad) Act, 2023.

Short title  
and  
commencement.

5 (2) It shall come into force on such date as the Central Government may, by  
notification in the Official Gazette, appoint.

Establishment  
of a  
permanent  
Bench of the  
Supreme  
Court at  
Hyderabad.

**2. There shall be established a permanent Bench of the Supreme Court of India at Hyderabad and such number of Judges of the Supreme Court of India being not less than five, as the Chief Justice of India may, with the approval of President, from time to time nominate, shall sit at Hyderabad in order to exercise the jurisdiction and power for the time being vested in the Supreme Court of India in respect of cases arising in the States of Andhra Pradesh, Telangana, Tamil Nadu, Karnataka, Kerala, Odisha, Chhattisgarh and the Union territories of Puducherry, Dadra and Nagar Haveli, Lakshadweep and Andaman and Nicobar Islands and in such other territories, as may be notified by the Central Government with the approval of the Chief Justice of India.**

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## STATEMENT OF OBJECTS AND REASONS

The framers of the Constitution envisaged the need for additional Benches of the Supreme Court and, accordingly, inserted article 130 which talks about the Seat of the Supreme Court and the Chief Justice of India has been given the responsibility to take a final call, with the approval of the President, on this. Article 130 reads as—

‘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.’.

There are nearly 70,000 cases pending, be it matters relating to regular hearing or admission, in the Supreme Court. The present strength of Supreme Court is 33 which means each Supreme Court Judge has to handle nearly 6,000 cases and if one looks at the overall Judge-Population ratio in the country, it is 19 judges per 10 lakh population. This clearly indicates that there is avalanche of litigations, including in the apex court, and hence there is a need to implement the spirit of article 130 and set up Seats of Supreme Court in various regions of the country.

The 10th Law Commission, in its 95th Report, in 1984, recommended for constitutional division with the Supreme Court by splitting the Supreme Court into two, nearly (i) Constitutional Court at Delhi; and (ii) Court of Appeal sitting in Northern, Southern, Eastern and Western parts of the country.

The 11th Law Commission in its 125th Report titled, “The Supreme Court—A Fresh Look”, submitted in 1988, reiterated the recommendations made by the 10th Law Commission in its 95th Report. The Law Commission felt that it will help to reduce the distance to be travelled by litigants and the cost to be borne by them.

The 18th Law Commission, in its 229th Report submitted in 2009, also recommended for setting up of Constitution Bench – exclusively deal with Constitutional matters – at Delhi and four Cassation Benches be set up in four regions of the country. The Northern Bench at Delhi; the Southern Bench at Hyderabad or Chennai; the Eastern Bench at Kolkata; and the Western Bench at Mumbai.

This clearly indicates that there is a constitutional provision and plethora of recommendations by Law Commission and other bodies and Committees for setting up of Cassation Benches of Supreme Court at different regions of the country.

The objective of the proposed Bill emanates from the recommendations of the Law Commission, Committees and various genuine demands that Supreme Court at Delhi be made as a Constitutional Court rather than remaining largely a Court of Appeal which is the case now. Secondly, if one looks at Supreme Court docket, the number of cases coming to Supreme Court from various High Court varies. For example, nearly 20% of appeal coming from Punjab and Haryana High Court; nearly 11% are coming from Delhi High Court when compared to other High Courts, such as Bombay, Uttar Pradesh or Hyderabad which hear far more cases. It is because of the distance from Hyderabad or Kerala or Tamil Nadu or Karnataka and the costs involved to reach Supreme Court in Delhi, people are giving up idea of knocking the doors of Supreme Court. This clearly tantamount to denial of justice and fundamental right since the apex court is not geographically accessible to all. So, the proposed regional Benches would work as appellate courts and deal with cases emanated from various High Courts in that region.

Hyderabad, being one of the largest cities in the country, is very well connected by road, rail and air to different parts of South India. It has all necessary infrastructure and, being the software hub of the country, it would be all the more justified and prudent to set up a Bench of the Supreme Court at Hyderabad.

Hence this Bill.

NEW DELHI;

GADDAM RANJITH REDDY

July 7, 2021

PRESIDENT'S RECOMMENDATION UNDER ARTICLES 117(1) AND  
117(3) OF THE CONSTITUTION

[Copies of Letter Nos. K-15017/10/2021-US.I/II dated 14 March, 2022 and K-15017/10/2021-US.I/II dated 13 December, 2022 from Shri Kiren Rijiju, Minister of Law and Justice to the Secretary General, Lok Sabha].

- I. The President, having been informed of the subject matter of the Supreme Court of India (Establishment of a Permanent Bench at Hyderabad) Bill, 2021\* by Dr. Gaddam Ranjith Reddy, Member of Parliament, recommends the consideration of the Bill under article 117(3) of the Constitution in Lok Sabha.
- II. The President having been informed of the subject matter of the Supreme Court of India (Establishment of a Permanent Bench at Hyderabad) Bill, 2021\* by Dr. Gaddam Ranjith Reddy, Member of Parliament, recommends the introduction of the Bill under article 117(1) of the Constitution in Lok Sabha.

[\*Bill, being printed in 2023, the year in the title of Bill has been changed from 2021 to 2023.]

## FINANCIAL MEMORANDUM

Clause 2 of the Bill provides for establishment of a permanent Bench of the Supreme Court at Hyderabad in the State of Telangana. The Bill, therefore, if enacted, would involve expenditure from the Consolidated Fund of India. It is estimated that a recurring expenditure of about rupees two crore per annum would involve from the Consolidated Fund of India.

A non-recurring expenditure to the tune of rupees one hundred crore is also likely to be involved.

LOK SABHA

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*(Dr. Gaddam Ranjith Reddy, M.P.)*