

AS INTRODUCED IN LOK SABHA

Bill No. 31 of 2020

**THE SUPREME COURT OF INDIA (ESTABLISHMENT OF A
PERMANENT BENCH AT CHENNAI) BILL, 2020**

By

DR. M.K. VISHNU PRASAD, M.P.

A

BILL

*to provide for the establishment of a permanent Bench of the Supreme Court of
India at Chennai*

BE it enacted by Parliament in the Seventy-First 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 Chennai) Act, 2020.

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
Supreme Court
at Chennai.

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

STATEMENT OF OBJECTS AND REASONS

The appellants are already burdened and are further discouraged to face the ordeal of having the litigations to travel thousands of kilometers to the seat of the Supreme Court in New Delhi for their appeal, hearing, and follow up of their cases. From the farthest places of South India, it is burdensome financially, physically as well as mentally.

The number of pending court cases in the country has crossed more than three crore now. The plight of persons awaiting trial needs to be understood and addressed. It is not only the wastage of time, but also an increased financial burden that makes the process inconvenient, cumbersome and expensive thereby ascertaining the fact that "Justice delayed is justice denied".

Article 130 of the Constitution envisages that 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. The language of the article clearly indicates that there was an intention of the founding fathers of the Constitution to have more than one seat of the Supreme Court and hence it is necessary to establish bench of the Supreme Court at various regions.

Hence, the Bill seeks to establish a permanent Bench of the Supreme Court in Chennai in the State of Tamil Nadu. Geographically, Tamil Nadu is a strategic location for a permanent Bench as it is easily accessible for litigants of southern, south-eastern and south-western States. This will provide for a robust mechanism not only to manage pendency of court cases but simultaneously makes the justice opportune, public-friendly and efficient without any regional disparity.

Hence this Bill.

NEW DELHI;
October 25, 2019.

M.K. VISHNU PRASAD

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

[Copy of letter No. K-15019/05/2019-US. 1 dated 28 January, 2020 from Shri Ravi Shankar Prasad, Minister of Law and Justice, Communications and Electronics and Information Technology to the Secretary-General, Lok Sabha].

The President, having been informed of the subject matter of the Supreme Court of India (Establishment of a Permanent Bench at Chennai) Bill, 2020 by Dr. M.K. Vishnu Prasad, M.P., recommends the introduction and consideration of the Bill in Lok Sabha under articles 117(1) and 117(3), respectively, of the Constitution.

FINANCIAL MEMORANDUM

Clause 2 of the Bill provides for the establishment of permanent Bench of the Supreme Court of India at Chennai. The Bill, therefore, if enacted and brought into operation, would involve expenditure from the Consolidated Fund of India. It is not possible to estimate, at this stage, the exact amount of expenditure that will be involved.

However, a recurring expenditure of about rupees twenty crore is likely to be involved per annum for the purpose of payment of allowance to the Judges of the Bench and payment of salaries to the Court servants.

A non-recurring expenditure of about rupees one hundred and fifty crore may be involved for the construction of building of the Court, etc. and appointment of staff members.

LOK SABHA

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to provide for establishment of a permanent Bench of the Supreme Court at Chennai.

(Dr. M.K. Vishnu Prasad, M.P.)