

AS INTRODUCED IN THE RAJYA SABHA
ON THE 3RD JULY, 2009

Bill No. LXII of 2008

THE CONSTITUTION (AMENDMENT) BILL, 2008

A

BILL

further to amend the Constitution of India

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

1. This Act may be called the Constitution (Amendment) Act, 2008.

Short title.

2. In article 130 of the Constitution, the following proviso shall be inserted, namely:—

Amendment
of article 130.

5 “Provided that there shall be established a permanent Bench of the Supreme Court at Hyderabad consisting of five Judges who shall be nominated from amongst the Judges of the Supreme Court by the Chief Justice of India which shall also have appellate jurisdiction over cases decided by any High Court in order to administer justice and exercise control over cases arising in the states of Andhra Pradesh, Karnataka, Kerala, Tamil Nadu and Union Territory of Puducherry.”

STATEMENT OF OBJECTS AND REASONS

There are at present 28 States and 7 Union Territories. In the last 59 years, workload of the Supreme Court has increased with the result that there are a large number of cases pending in the Supreme Court, and as such, justice to the people has considerably been delayed. There is a need to establish a permanent Bench of the Supreme Court at Hyderabad to deal with the cases of the Southern States urgently as the people from these states have to travel all the way to New Delhi in connection with their cases. This will also reduce the expenditure to be incurred by the States or individuals who have to spend a lot of money coming from the States to the Supreme Court in Delhi and engage the lawyers and arrange for their stay, etc in Delhi. It will also reduce arrears of the Supreme Court of India. The idea behind this amendment is only to facilitate the work of the Supreme Court of India and not to bifurcate the present Court or reduce its importance.

Hence this Bill.

T. SUBBARAMI REDDY

FINANCIAL MEMORANDUM

The Bill if enacted will involve expenditure from the Consolidated Fund of India in respect of administration of the Supreme Court Bench at Hyderabad. It is likely that it will involve a recurring expenditure of about rupees one crore per year and rupees fifty crore as a non-recurring expenditure.

ANNEXURE

EXTRACT FROM THE CONSTITUTION OF INDIA

* * * * *

130. 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.

* * * * *

RAJYA SABHA

A

BILL

further to amend the Constitution of India.

(Dr. T. Subbarami Reddy, M.P.)