

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

LOK SABHA
UNSTARRED QUESTION NO.754

TO BE ANSWERED ON WEDNESDAY , THE 20.12.2017

Division Benches of High Courts

+754. SHRIMATI JAYSHREEBEN PATEL:

SHRI RADHESHYAM BISWAS:

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

- (a) the number of division benches of High Courts functioning in the country;
- (b) the number of States where demand for setting up of Division Bench is pending, State-wise;
- (c) the names of the High Courts in the country where proceedings of courts are conducted in regional languages;
- (d) whether the Government intends to allow use of regional language in court proceedings; and
- (e) whether it is a fact about 90 per cent of the population in the country still has no access to legal help, if so, the details thereof and the steps taken by the Government in this regard?

ANSWER

MINISTER OF STATE FOR LAW AND JUSTICE AND CORPORATE AFFAIRS
(SHRI P.P. CHAUDHARY)

(a) to (b): Setting up of division benches in the High Courts is within the administrative control of the Chief Justices of the High Courts. The Government has no control over the administrative functioning of the High Court. As such, no information is maintained by the Central Government in this regard.

In accordance with the recommendations made by the Jaswant Singh Commission and judgment pronounced by the Apex Court in W.P. (civil) No. 379 of 2000, Bench (es) of the High Court are established after due consideration of complete proposal from the State Government, which is to provide infrastructure and meet the expenditure, along with 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. The proposal should also have the consent of the Governor of the concerned State.

(c) & (d): Use of regional languages has, so far, not been allowed in the hearings of the High Courts. However, use of Hindi has been authorised in the proceedings in the High Courts of the States of Rajasthan, Madhya Pradesh, Uttar Pradesh and Bihar. For the use of regional languages in the High Courts of Tamil Nadu, Gujarat, Karnataka and Chhattisgarh, affirmative advice of the Apex Court was not received in these cases.

(e): National Legal Services Authority (NALSA) and State Legal Services Authorities provide legal aid to eligible persons as mentioned in section 12 of Legal Services Authority Act 1987, wherever such requests for legal aid are received.
