

**GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE**

LOK SABHA

UNSTARRED QUESTION NO. 1661

TO BE ANSWERED ON FRIDAY, THE 11.02.2021

Regional Benches of Supreme Court

1661. DR. SUJAY RADHAKRISHNA VIKHE PATIL:

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

- (a) whether Law Commissions (95th, 120th, 125th and 229th) recommendations to set up regional benches of Supreme Court has resulted in instituting of any assessments or surveys, if so, the details thereof and if not the reason therefor;
- (b) whether regional benches are being set up in the States of Maharashtra, West Bengal and Madhya Pradesh and if so, details thereof and if not the reason therefor;
- (c) the funds released to the said States for providing infrastructure facility in this regard; and
- (d) the details of funds estimated for completion of these projects along with the amount spent till date?

ANSWER

MINISTER OF LAW AND JUSTICE

(SHRI KIREN RIJJU)

(a): Article 130 of the Constitution of India provides 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 Eleventh Law Commission in its 125th Report titled “The Supreme Court – A Fresh Look”, submitted in 1988, reiterated the recommendations made by Tenth Law Commission in its 95th Report for splitting the Supreme Court into two namely (i) Constitutional Court at Delhi and (ii) Court of appeal or Federal Court sitting in North, South, East, West and Central India. The Eighteenth Law Commission in its 229th Report had also suggested that a Constitutional Bench be set up at Delhi and four Cassation Benches be set up in the Northern region at Delhi, Southern region at Chennai/Hyderabad, Eastern region at Kolkata and Western region at Mumbai.

The matter was referred to the Chief Justice of India, who has informed that after consideration of the matter, the Full Court in its meeting held on 18th February, 2010, found no justification for setting up of Benches of the Supreme Court outside Delhi.

In Writ Petition WP(C) No. 36/2016 on establishment of National Court of Appeal, the Supreme Court vide its judgment dated 13.07.2016 deemed it proper to refer the aforementioned issue to Constitutional Bench for authoritative pronouncement. The matter is sub-judice in the Supreme Court.

(b): No Sir.

(c) & (d): Do not arise.
