

Bill No. 191 of 2019

THE SUPREME COURT (NUMBER OF JUDGES)
AMENDMENT BILL, 2019

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BILL

further to amend the Supreme Court (Number of Judges) Act, 1956.

BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows:—

1. This Act may be called the Supreme Court (Number of Judges) Amendment Act, 2019. Short title.

55 of 1956.

2. In section 2 of the Supreme Court (Number of Judges) Act, 1956, for the word "thirty", the word "thirty-three" shall be substituted. Amendment of section 2.

STATEMENT OF OBJECTS AND REASONS

The pendency of cases in the Supreme Court of India has constantly been on the rise due to comparatively higher rate of institution of cases. As on the 1st day of June, 2019, there were 58669 cases pending in the Supreme Court. The Chief Justice of India has intimated that inadequate strength of judges is one of the prime reasons for backlog of cases in the Supreme Court. It is not possible for the Chief Justice of India to constitute five Judges Bench on a regular basis to hear cases involving substantial question of law as to the interpretation of the Constitution as it would result in constitution of less number of Division Benches which would lead to delay in hearing of other civil and criminal matters.

2. The feeder cadre of Chief Justices and Judges of the High Courts have increased from 906 to 1,079 and presently new High Courts have also been established in the previous years. This has led to increase in the disposal of cases at the High Court level leading to larger number of appeals to the Supreme Court.

3. It is, therefore, proposed to amend the Supreme Court (Number of Judges) Act, 1956 to increase the number of Judges in the Supreme Court from present thirty to thirty-three, excluding the Chief Justice of India.

4. The Bill seeks to achieve the above objectives.

NEW DELHI;
The 31st July, 2019.

RAVI SHANKAR PRASAD

FINANCIAL MEMORANDUM

Clause 2 of the Bill seeks to increase the present strength of the Judges of the Supreme Court from thirty to thirty-three (excluding the Chief Justice of India). This will increase the expenditure on account of pay and allowances on creation of three additional posts of Judges in the Supreme Court along with required staff. The Judges will also be entitled to the use of rent free official residence. Each Judge will have to be provided with personal staff at residence and office. Expenditure would also be incurred in connection with the deployment of security for Judges.

2. The recurring expenditure amounting to Rs. 5,37,54,528/- per annum would consist of salary of three Judges and their staff, housing, water, electricity, medical, conveyance, Leave Travel Concession and expenditure of Rs. 60,00,000/- in connection with deployment of security and non-recurring expenditure of Rs. 84,00,000/- towards car and furnishing of official residence. Thus, the total expenditure on creation of additional three posts of Judges in the Supreme Court will be of Rs. 6,81,54,528/-.

3. The Bill, if enacted, is not likely to involve any other recurring and non-recurring expenditure.

ANNEXURE

EXTRACT FROM THE SUPREME COURT (NUMBER OF JUDGES) ACT, 1956

(55 OF 1956)

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		2. The maximum number of Judges of the Supreme Court, excluding the Chief Justice of India, shall be thirty.							
Maximum number of Supreme Court Judges other than Chief Justice.	*		*		*		*		*

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further to amend the Supreme Court (Number of Judges) Act, 1956.

*(Shri Ravi Shankar Prasad, Minister of Communications, Law & Justice and Electronics
& Information Technology)*