

## **SUPREME COURT (NUMBER OF JUDGES) ACT, 1956**

**55 of 1956**

**[16th September, 1956]**

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1. Short title
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## **SUPREME COURT (NUMBER OF JUDGES) ACT, 1956**

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STATEMENT OF OBJECTS AND REASONS "Under Art.124 of the Constitution of India the Supreme Court shall consist of a Chief Justice and, until Parliament by law prescribes a larger number, of not more than seven other Judges. The present strength of this Court is the maximum permissible under this article and an increase in the number of Judges is possible only by Parliamentary legislation. The Chief Justice of India has pointed out that in view of the larger number of constitutional appeals coming up for decision before the Court it is necessary to have a constitutional bench sitting practically all the time and a constitutional bench has to have five Judges in view of the requirement of Article 145 (3). Other benches of the Supreme Court should ordinarily consist of a minimum of three Judges, since they will generally be hearing appeals from various High Courts disposed of by two or more Judges. The increase in the volume of work of the Supreme Court requires that there should be two such benches, instead of one as at present, functioning throughout the year and for this purpose three more Judges require to be appointed. The present Bill seeks to meet this end."-Gaz. of Ind, 1956, Extra., Pt. II-S. 2, p. 652. Amending Act 17 of 1960.- The maximum number of Judges of the Supreme Court which under article 124 (1) of the Constitution was fixed at seven, excluding the Chief Justice, was raised to ten by the Supreme Court (Number of Judges) Act, 1956 (55 of 1956). This

was done so as to provide for the formation of one constitutional bench of five Judges in view of the requirements of article 145 (3) of the Constitution, and two other benches each consisting of a minimum of three Judges. The Chief Justice of India has pointed out that while with this increased strength of Judges it has been possible to accelerate the disposal of cases, the total pendency of cases has slightly increased during the last 3 years as the disposals did not quite keep pace with the institutions, and that it has become necessary to have one more bench consisting of three Judges to expedite the disposal of the cases in arrears. The present Bill accordingly seeks to amend the Supreme Court (Number of Judges) Act, 1956. so as to provide that the maximum number of Judges of the Supreme Court, excluding the Chief Justice, shall be thirteen.-Gaz. of Ind., 10-3-1960, Pt. II, S. 2. Ext., p. 120. Amending Act 48 of 1977.- The maximum number of Judges of the Supreme Court which under Art.124(1) of the Constitution of India was fixed at seven, excluding the Chief Justice, was raised to ten by the Supreme Court (Number of Judges) Act, 1956 (55 of 1956). This number was subsequently raised to thirteen by the Supreme Court (Number of Judges) Amendment Act. 1960 (17 of 1960). The institutions have increased from 3241 in 1960 to 8254 in 1976 and the pendency has gone up from 2319 cases in 1960 to 14,109 in 1976. The Chief Justice has proposed that as the arrears of cases have mounted and are going up daily, the sanctioned strength of the Judges of the Supreme Court may be increased. The present Bill accordingly seeks to amend the Supreme Court (Number of Judges) Act, 1956, so as to provide that the maximum number of Judges of the Supreme Court, excluding the Chief Justice, shall be seventeen.-Gaz. of Ind. 28-11-1977, Pt. II, S. 2. Ext., p. 742.

**1. Short title :-**

This Act may be called THE SUPREME COURT (NUMBER OF JUDGES) ACT, 1956.

**2. Maximum number of Supreme Court Judges, other than Chief Justice :-**

The maximum number of Judges of the Supreme Court, excluding the Chief Justice of India, shall be <sup>12</sup> [twenty-five].

1. Substituted for the word "thirteen" by the Supreme Court (Number .of Judges) Amendment Act 1977 (45 of 1977), S. 2(31-12-1977), Prior to this amendment, the word "thirteen" was substituted for the word "ten" by the Supreme Court (Number of Judges) Amendment Act, 1960 (17 of 1960), S.2.

2. Substituted for the word "thirteen" by the THE SUPREME COURT (NUMBER OF JUDGES) AMENDMENT ACT, 1986 (22 of 1986), dated 12th May, 1986