GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA

UNSTARRED QUESTION NO.3446

TO BE ANSWERED ON THURSDAY, THE 25th MARCH, 2021

Fast Track Courts for politicians

3446 # SMT. PHULO DEVI NETAM:
Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether Government proposes to set up Fast Track Courts for trial of cases related to public representatives and politicians;
(b) whether Government proposes to link Fast Track Courts with the existing CBI courts or appoint special judicial officers therefor;
(c) whether Government endorses to put a lifetime ban on a politician to contest election in case of conviction in a criminal case;
(d) whether any discussion has been held between Election Commission of India, State Governments and the Central Government in this regard; and
(e) if so, the details thereof alongwith the arguments made by them ?

A N S W E R

MINISTER OF LAW AND JUSTICE, COMMUNICATIONS AND

ELECTRONICS & INFORMATION TECHNOLOGY

(SHRI RAVI SHANKAR PRASAD)

(a) & (b) There is no such proposal before the Government. Setting up of Fast Track Courts (FTCs) and their functioning fall within the domain of the respective State

Governments in consultation with the High Courts. However, the 14th Finance Commission had endorsed the proposal of Union of India for setting up of 1800 FTCs during 2015-2020 for dealing with specific cases of heinous nature, civil cases related to women, children, senior citizens, other vulnerable sections of society and property related cases pending for more than 5 years and had urged State Governments to utilize enhanced fiscal space available through tax devolution (32% to 42%) for this purpose. As per information made available by High Courts, there are 894 afore-mentioned functional FTCs in the country. Also 12 Special Courts were set up in 11 States [02 in NCT of Delhi and 01 each in Andhra Pradesh, Telangana, Karnataka, Kerala, Tamil Nadu, Maharashtra, Madhya Pradesh, Uttar Pradesh, Bihar and West Bengal] for expeditious trial and disposal of criminal cases involving elected Members of the Parliament/ Members of the Legislative Assembly. Further, vide orders of the Supreme Court dated 04.12.2018, Special Courts of the State of Kerala and Bihar have been discontinued.

(c) At present, there is no proposal under consideration of the Government for prescribing a life-time ban on a politician to contest election on conviction in a criminal case.

(d)&(e) Does not arise in view of (c) above.