

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

**RAJYA SABHA
UNSTARRED QUESTION NO. 1062
TO BE ANSWERED ON THURSDAY, THE 15th DECEMBER 2022**

Efficiency of Fast Track Courts

1062. Shri Vijay Pal Singh Tomar:

Will the Minister of Law and Justice be pleased to state:

- (a) the details of Fast Track Courts/new Fast Track Courts set up and functioning in the country along with the number of cases lying pending thereunder during each of the last three years and the current year, State-wise;
- (b) whether Government proposes to allocate more funds to States for the establishment of such courts and for the appointment of more judges and if so, the details thereof;
- (c) whether Government has conducted any study to determine the efficiency of Fast Track Courts vis-à-vis regular courts; and
- (d) if so, the details thereof?

ANSWER

MINISTER OF LAW & JUSTICE

(SHRI KIREN RIJJU)

(a) The details of Fast Track Courts/new Fast Track Court (FTC) set up and functioning along with the number of cases lying pending thereunder in the country during each of the last three years and the current year, State-wise, as per information provided by High Courts, is given in **Annexure**.

(b): Setting up of FTC and allocation of funds lies within the domain of the State Governments who set up such courts as per their need and resources, in consultation with

the respective High Courts. The 14th Finance Commission (FC) had recommended the setting up of total 1800 FTCs during 2015-2020 for trial of specific cases of heinous nature, civil cases related to women, children, senior citizen, disabled, persons infected with terminal ailments etc and property related cases pending for more than 5 years. The FC had further urged State Governments to utilize enhanced fiscal space available through tax devolution (32% to 42%) for this purpose. The Union Government has also urged the State Governments to allocate funds for the setting up of FTC, from the financial year 2015-16 onward. Further, in pursuance to the Criminal Law (Amendment) Act, 2018, the Department of Justice is implementing a Centrally Sponsored Scheme for setting up 1023 Fast Track Special Courts (FTSCs) since October, 2019 to provide speedy justice to the victims of rape and POCSO Act. The FTSC scheme which was initially for 1 year, has been continued up to 31st March, 2023 at a total outlay of Rs.1572.86 Cr. with Rs.971.70 Cr. as Central Share to be funded under Nirbhaya Fund. As on 31/10/2022, 733 FTSCs are functional in 28 States/UTs.

(c)&(d): A Plan Scheme for Action Research and Studies on Judicial Reforms is being implemented by the Department of Justice under the National Mission for Justice Delivery and Legal Reforms since 2013. Under the Scheme, financial assistance is being extended for undertaking action research / evaluation / monitoring studies, organizing seminars / conferences / workshops, capacity building for research and monitoring activities, publication of report/material, promotion of innovative programmes / activities in the areas of Justice Delivery, Legal Research and Judicial Reforms. Under this scheme, a study on “Evaluation of Functioning of Fast Track Courts in India” was conducted by National Law University, Delhi. As per the findings of the study, the establishment of FTCs was not

accompanied by special infrastructure, special administration, and separate cadre of staff or relaxation of the procedure. Therefore, their working is no different from regular courts and they face the same structural difficulties as regular courts. The lack of adequate support has caused overburdening of the FTCs. The following recommendations were made to improving the efficiency which has been brought to the knowledge of the concerned State Governments and High Courts:

- Appointment of more experienced Judges in the FTCs.
- Need for specific recommendations of the National Court Management System which are applicable to Fast Track Courts.
- Judges to put case-specific time frames for deciding cases in FTCs as suggested by the 245th report of Law Commission of India.
- Monthly meetings at the district level of all judicial officers in FTCs to monitor their progress and ensuring day-to-day hearing in a fast-track proceeding.
- Providing a safe and comfortable environment to victims especially women and children in all FTCs in the country by using modern technology like videoconferencing/videography.
- Judges to be provided with proper and updated modern facilities like computer, technical staff and internet.
- Incentives to be given to judges for the disposal of cases which are pending for more than 5 years
- Vulnerable Witness Deposition Complexes (such as those established in Delhi) to be set up in other districts as well.

Annexure

Annexure given in Rajya Sabha Unstarred Question No. 1062 Status of FTCs –functional and Cases pending during last three years including current year (States/UTs wise)

(As on October, 2022)

Sl No.	State/UT	Dec, 2019		Dec, 2020		Dec, 2021		October, 2022	
		Functional Courts	Cases Pending	Functional Courts	Cases Pending	Functional Courts	Cases Pending	Functional Courts	Cases Pending
1	Andhra Pradesh	21	6763	21	10069	21	10069	22	6877
2	Andaman & Nicobar island		0		0		0		0
3	Arunachal Pradesh		0		0		0		0
4	Assam	19	8108	14	10108	16	9356	15	10551
5	Bihar	57	20774	33	58636	0	69792	0	0
6	Chandigarh								
7	Chhattisgarh	38	6882	23	15310	23	17779	23	5394
8	Dadra & Nagar Haveli		0		0		0		0
9	Delhi	10	4210	5	40733	7	48520	20	7068
10	Diu & Daman								
11	Goa	0	0	0	0	0	0	4	2038
12	Gujarat	0	0	0	33560	35	35335	35	4894
13	Haryana	6	924	5	58511	6	65337	6	887
14	Himachal Pradesh	0	0	0	15618	0	5102	3	510
15	Jammu & Kashmir	5	876	1	0	4	0	4	685
16	Jharkhand	0	4632	40	14507	6	19371	34	7969
17	Karnataka	0	0	13	38365	18	39458	0	0
18	Kerala	0	0	23	100479	28	114020	0	0
19	Ladakh		0		0		0		0
20	Lakshadweep		0		0		0		0
21	Madhya Pradesh	0	0	2	15584	0	25769	0	0
22	Maharashtra	91	107491	116	52079	110	67315	111	152312
23	Manipur	4	210	6	634	6	634	10	1023
24	Meghalaya	0	0	0	0	0	0	0	0
25	Mizoram	2	154	2	0	2	0	2	223
26	Nagaland	0	0	1	66	0	153	0	0
27	Odisha	0	0	0	39670	19	44689	0	0
28	Puducherry		0		1535		1452		0
29	Punjab	0	0	7	52198	7	85061	7	245
30	Rajasthan		0		44222		46048		0
31	Sikkim	1	6	2	188	2	195	2	13
32	Tamil Nadu	74	6036	73	29970	74	32519	73	107590
33	Telangana	29	9950	29	15469	35	18095	0	0
34	Tripura	11	937	11	2551	11	3604	03	1347
35	Uttar Pradesh	368	405127	389	413176	376	396462	372	1036970
36	Uttarakhand	4	567	4	15119	4	15997	4	838
37	West Bengal	88	49723	87	0	88	1166	88	72560
	Total	828	633370	907	1078357	898	1173298	838	1419994