

GOVERNMENT OF INDIA  
MINISTRY OF LAW AND JUSTICE  
DEPARTMENT OF JUSTICE

**RAJYA SABHA**  
**UNSTARRED QUESTION NO-1382**  
**ANSWERED ON 14.12.2023**

**FAST TRACK COURTS TO DELIVER SPEEDY JUSTICE**

**1382. SHRI C. Ve. SHANMUGAM:**

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

- (a) whether it is a fact that there are a large number of undertrials languishing in different jails in various parts of the country;
- (b) if so, the details thereof;
- (c) whether Government proposes to have Fast Track Courts to deliver speedy justice;
- (d) if so, the details thereof;
- (e) whether Government has received any suggestions/proposals from different States/ stakeholders in this regard;
- (f) if so, the details thereof; and
- (g) the details of the action taken/proposed to be taken by Government in this regard?

**ANSWER**

**MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE MINISTRY OF CULTURE (SHRI ARJUN RAM MEGHWAL)**

- (a) and (b) : As per Prison Statistics India-2022 released by National Crime Records Bureau on 01.12.2023, there are 4,34,302 undertrial prisoners in the Country as on 31.12.2022.
- (c) to (g) : The 14<sup>th</sup> Finance Commission (FC) had recommended the setting up of 1800 Fast Track Courts (FTCs) during 2015-20 for speedy trial of specific cases of heinous nature, civil cases related to women, children, senior citizen, disabled persons, 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 FTCs, from the financial year 2015-16 onwards. As per information made available by High Courts, 848 FTCs are functional in the country as on 31.10.2023. In addition to FTCs, in pursuance to the Criminal Law (Amendment) Act, 2018, the Government of India finalized a scheme in August, 2019 for setting up Fast Track Special Courts (FTSCs) including exclusive POCSO Courts for expeditious trial and disposal of cases pertaining to rape and Prevention of Children from Sexual Offences (POCSO) Act, 2012 in a time-bound manner under Centrally Sponsored Scheme. As per data submitted by various High Courts, upto October, 2023, 758 FTSCs including 412 exclusive POCSO (e-POCSO) Courts are functional in 30 State/UTs across the country which have disposed of more than 2,00,000 cases. Presently, there is no proposal to set up Fast Track Courts for undertrials.

No separate suggestions/proposals have been received in Department of Justice in respect of setting up Fast Track Courts, for undertrial prisoners. However, the Central Government in the light of the Budget announcement during presentation of Budget 2023-24 has formulated the 'Scheme for providing financial assistance to indigent prisoners to pay fine and obtain remission' through the State Governments with a budget provision of Rs 20 crore every year.

The Government of India has added Section 436-A to the Code of Criminal Procedure (CrPC), which provides for the release of an undertrial prisoner on bail after serving half of the maximum period of imprisonment prescribed for an offense under any law. The concept of "Plea Bargaining" was also introduced by inserting "Chapter XXIA" in CrPC, which facilitates pre-trial negotiations between the defendant and the prosecution.

A "Prison Management Application" (e-Prison Software) integrated with "Inter-Operable Criminal Justice System" has been introduced which facilitates State Prison Authorities to capture data of prisoners and identify those prisoners in a quick and

efficient manner. It also helps to identify pending cases for consideration by the “Undertrial Prisoner Review Committee (UTRCs)”. UTRCs have been established in all the districts which conduct quarterly meetings. During the period from 1<sup>st</sup> April 2020 to 30<sup>th</sup> June, 2023, National Legal Services Authority (NALSA) through State Legal Services Authorities (SLSAs) and District Legal Services Authorities (DLSAs) organized 32,612 UTRC meetings after which 74,630 inmates were released.

SLSAs have also set up Legal Services Clinics in prisons, which provide free legal aid to needy persons. These Legal Services Clinics are managed by empanelled Legal Services Advocates and trained para-legal volunteers. Such clinics have been set up in jails to ensure that all prisoners have access to advocates to represent them and to provide them with legal aid and advice. NALSA also organizes awareness camps in prisons to create awareness about the legal rights of prisoners including the availability of free legal aid, plea bargaining, Lok Adalats and their right to bail.

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