

**GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA**

UNSTARRED QUESTION NO:2191

ANSWERED ON:14.03.2008

FAST TRACK COURTS

Chinta Mohan Dr. ;Owaisi Shri Asaduddin;Ponnuswamy Shri Mohan;Rao Shri Sambasiva Rayapati;Singh Shri Rajiv Ranjan (Lalan)

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether the Government has received direction from the Hon`ble Supreme Court` to prepare a feasibility report in respect of disposal of criminal cases pending over five years in trial courts through fast track courts;

(b) if so, the details thereof and the action taken thereon;

(c) whether the Government has prepared any road-map for structural reforms to reduce volume of pending cases; and

(d) if so, the details thereof?

Answer

MINISTER OF THE STATE IN THE MNISTRY OF LAW & JUSTICE (SHRI H.R.BHARDWAJ)

(a)&(b) The Supreme Court of India in Transfer Case (Civil) No. 22/2001,Brij Mohan Lai vs. Union of India & Others, that inter alia, deals with matters relating to Fast Track Courts which have been constituted for disposal of long pending sessions cases, has in its Order dated 20.11.2007 mentioned as follows:

‘Having heard Mr.Narasimha,learned amicus curiae and the learned Solicitor General of India, we are of the opinion that the charts, supplied by the former, may be considered the basis by the Law Ministry for arriving at a decision in regard to the transfer of cases from criminal to civil, and in particular, the cases which are more than 5 years old, for disposal by the Fast Track Courts`.

Government is examining the matter and has called for detailed information from the State Governments and the Registries of the High Courts with regard to the number of Fast Track Courts, strength in these courts, number of pending criminal cases, availability of infrastructure, etc.

(c) & (d) Government has taken several steps including deciding to increase the strength of Judges in the High courts and the Supreme Court, setting up of Fast Track Courts, setting up of special tribunals like the Central Administrative Tribunal, Income Tax Appellate Tribunals, etc. for facilitating reduction of pendency of cases in the courts. Government also has under implementation a scheme of computerization of district and subordinate Courts to facilitate speedier disposal of cases. Alternative modes of disposal including mediation, negotiation and arbitration have been encouraged. With a view to ensuring expeditious disposal of cases, the Civil Procedure Code has been amended, inter alia, limiting the number of adjournments that can be given to a party and the concept of `Plea Bargaining1 has been introduced through `the Criminal Law (Amendment) Act, 2005. Through the Gram Nyayalays Bill, it is proposed to bring justice to the doorsteps of the rural people by creating over 5000 courts in the intermediate Panchayat level thereby reducing pendency.