

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

STARRED QUESTION NO:148

ANSWERED ON:07.03.2013

FAST TRACK COURTS FOR SEXUAL OFFENCES

Pandurang Shri Munde Gopinathrao;Rajbhar Shri Ramashankar

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

- (a) the number of cases of sexual offences pending in various High Courts and subordinate courts, State/UT-wise;
- (b) whether the Government is contemplating to set up fast track courts in the country for quick disposal of cases of sexual offences and crimes against women;
- (c) if so, the details thereof and the progress made so far in setting up of these courts, State/UT-wise;
- (d) whether the Government has received any suggestions from the States and social organisations in this regard and if so, the details thereof and the action taken thereon; and
- (e) the other steps taken/being taken by the Government in pursuance of the recommendations of Justice J.S.Verma Panel on the issue?

Answer

MINISTER OF LAW & JUSTICE (DR. ASHWANI KUMAR)

(a)to(e) A Statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (e) OF THE LOK SA. IA STARRED QUESTION NO. 148 FOR 7/3/2013 REGARDING FAST TRACK COURTS FOR SEXUAL OFFENCES

(a): Statement at Annex I give the number of rape cases pending in the High Courts and Supreme Court. The Statement at Annex II gives similar information in respect of district/subordinate courts for three years starting from 2009 to 2011.

(b) &(c): The Government has requested the Chief Justice of the High Courts to constitute the Fast Track Courts for speedy trial of pending rape cases in district/subordinate courts having a high pendency. The Government has also requested them to monitor the progress of the cases to ensure their timely disposal. Progress made in setting-up of Fast Track Courts for disposal of rape cases is at Annex-III.

(d)&(e): Government has received suggestions from various quarters for speedy disposal of cases of sexual offences by establishing Fast Track Courts, for prevention of crimes against women, holding trials without adjournment, in-camera trials in such cases as well as for sensitization of judiciary on gender issues. Provisions have already been made in the Code of Criminal Procedure for conduct of trial on a day-to-day basis and in-camera trial in cases of sexual assault. It is also provided therein that in-camera trial shall as far as practicable, be conducted by a women judge/magistrate. Not only that, recording of the statement of the victim shall be conducted at her residence or any place of her choice, and, as far as practicable by a woman police officer in the presence of her parents/guardian, or near relatives or social worker of the locality. Government has requested the Chief Justices of all the High Courts to impress upon the district judges to adhere to these provisions in trial of cases involving heinous crimes such as rape.

Similar suggestions were also made to the Justice Verma Committee which was set up in the aftermath of Delhi gang rape case. The Committee has since submitted its Report to the Government. Based on the recommendations by the Committee, Government has promulgated Criminal Law (Amendment) Ordinance 2013 by which amendments/additions have been made to provisions in the Indian Penal Code under Sections 354A to 354D, 375, 376, 376A to 376E, Code of Criminal Procedure (Cr.PC) under Sections 154, 160, 161, 198B, 273, 327 and First Schedule and Indian Evidence Act under Sections 53A, 114A, 119 and 146.

Regarding gender sensitization of judiciary, National Judicial Academy and State Judicial Academies have been conducting training programmes on gender justice and violence against women. Government has requested the National Judicial Academy to increase the frequency of such programmes and include field visits and interactions with survivors of violence. Government has separately requested the State Judicial Academies to use the funds provided under the 13th Finance Commission Award to also enrich their training programmes.