

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

UNSTARRED QUESTION NO:569  
ANSWERED ON:07.08.2013  
PENDING RAPE CASES  
Singh Shri Jagada Nand

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

- (a) whether a large number of rape cases are pending in various High Courts and subordinate Courts of the country for disposal;
- (b) if so, the details thereof, State-wise, UT-wise;
- (c) the number of cases disposed off during the last three years and the current year along with the number of people convicted therein; and
- (d) the steps taken / likely to be taken for quick disposal of rape related cases?

**Answer**

MINISTER OF THE STATE IN THE MINISTRY OF LAW & JUSTICE AND COMMUNICATIONS AND INFORMATION TECHNOLOGY  
(SHRI KAPIL SIBAL)

(a) to (c) As per the information furnished by High Courts, a Statement giving details of Pending Rape Cases and Cases disposed during last three years in High Courts is at Annex-I. The State / UT-wise details based on available National Crime Record Bureau data of total rape cases for trial in courts, cases convicted and cases pending trial at the end of the year during the last three years (2010-12) is at Annex - II.

(d) Disposal of cases including the rape cases is within the domain of judiciary. In order to expedite the trial of criminal cases, in general, and for certain serious offences relating to crime against women, in particular, Section 309 of the Code of Criminal Procedure, 1973, inter alia, provides that in every enquiry or trial, proceedings shall be held as expeditiously as possible, and in particular, when examination of witnesses has once begun, the same shall be continued from day-to-day until all the witnesses in attendance have been examined, and unless the court finds the adjournment of the same beyond the following day to be necessary for reasons to be recorded. This Section also provides that when the inquiry or trial relates to an offence under sections 376 to 376 D of the Indian Penal Code, the inquiry or trial shall, as far as possible, be completed within a period of two (2) months from the date of commencement of the examination of witnesses. Not only that, several legislations enacted for protection of women and children against violence and sexual offences, inter-alia, contain provisions for speedy trial of such cases.

In the aftermath of the Delhi gang rape case, Government has requested the Chief Justices of the High Courts and the Chief Ministers of the States to constitute Fast Track Courts for speedy trial of pending rape cases in District/Subordinate Courts having a high pendency and to monitor the progress of the cases to ensure their timely disposal. The States have responded by designating special courts from out of the existing courts, for fast tracking such cases.

The Central Government has also provided funds on a matching basis from out of the 13th Finance Commission Award for salaries of the 10% additional positions of Judges being created in the subordinate Judiciary following the direction of Supreme Court in the case of Brij Mohan Lal Vs. Union of India. The State Governments and Chief Justices of High Courts have been requested that they may utilise these positions for creation of Fast Track Courts also.

Legal and other aid to women victims is provided by the trial courts under Section 357 of the Criminal Procedure Code. The assistance of State Legal Services Authorities is also sought, if required.