

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
(DEPARTMENT OF JUSTICE)

L O K S A B H A
UNSTARRED QUESTION NO.852

TO BE ANSWERED ON WEDNESDAY, THE 20TH DECEMBER, 2017

Fast Track Courts

852. SHRI MD. BADARUDDOZA KHAN:
SHRI HARINDER SINGH KHALSA:
SHRI MOHD. SALIM:

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

- (a) the number of Fast Track Courts in the country as on date, State-wise;
- (b) the details of funds allocated and spent for these courts during the last five years, year-wise and State-wise;
- (c) the details of cases pending in these courts as on date, State-wise;
- (d) whether there is huge pendency of cases concerning rape, molestation and other crimes related to women and girls and if so, the details thereof, State-wise;
- (e) whether the dealing Sessions Judges took long leaves during the consideration of urgent matter in FTC and if so, the details thereof; and
- (f) the measures taken by the Government to curb the tendency of taking long leaves by judges while the urgent matter of persons in judicial custody were to be heard?

MINISTER OF STATE FOR LAW & JUSTICE AND
CORPORATE AFFAIRS
(SHRI P.P. CHAUDHARY)

(a) & (c): The setting up of Fast Track Courts (FTCs) lies within the domain of the State Governments as per their need and resources, in consultation with the concerned High Courts. As per information available, at present, 722 FTCs are functional in the country. The State-wise break-up of functional FTCs as well as details of cases pending in these courts, State-wise is given at **Annexure-I**.

(b) The 11th Finance Commission had recommended a scheme for creation of 1734 FTCs in the country for disposal of long pending cases and the cases involving undertrial prisoners. The scheme that was recommended by the 11th

Finance Commission was for a period of five years upto 2004-05 and central funding was continued upto 31st March, 2011.

An amount of Rs.870 crore was released to the State Governments for FTCs during a period of 11 years from 2000-01 to 2010-2011 and Central funding was discontinued beyond 31.03.2011. In its judgment in Brij Mohan Lal & Others Vs Union of India & Others on 19.04.2012, the Hon'ble Supreme Court had endorsed the position of Government of India that continuation of FTCs is within the domain of the States and directed the States that they need to decide either to bring the FTC scheme to an end or to continue the same as a permanent feature in the States. A number of States have continued FTCs beyond 31.03.2011 with their own resources.

However, the Central Government decided to provide funds upto a maximum of Rs.80 crore per annum on a matching basis upto 31.03.2015 from the 13th Finance Commission Award for meeting expenditure on salaries of the 10% additional positions of Judges being created in the subordinate judiciary pursuant to the direction of Supreme Court in the Brij Mohan Lal Vs. Union of India case.

The 14th Finance Commission had endorsed the proposal of the Union Government to strengthen the judicial system in States which includes, inter-alia, establishing 1800 FTCs for a period of five years for all cases of heinous crimes like cases involving senior citizens, women, children etc. at a cost of Rs.4144 crore and urged the State Governments to use the additional fiscal space provided by the Commission in the tax devolution to meet such requirements. The State-wise funds earmarked as per the recommendations of the 14th Finance Commission is given at **Annexure-II**. The details of funds spent for these courts during the last five years, year-wise and State-wise are not maintained centrally.

(d): The information on the pendency of cases concerning rape, molestation and other crimes related to women and girls is not maintained centrally.

(e) & (f): The administration of Service Matters including Leave Rules of Subordinate Judiciary is governed by the respective High Courts and the State Governments.

Annexure-I

STATEMENT REFERRED TO IN REPLY TO PARTS (a) & (c) OF THE LOK SABHA UNSTARRED QUESTION NO.852 TO BE ANSWERED ON 20TH DECEMBER, 2017 REGARDING FAST TRACK COURTS

Name of the Status/UTs	No of Fast Track Courts	Number of cases pending as on 30.09.2017
Andhra Pradesh , Telangana	72	8687
Assam, Arunachal Pradesh, Nagaland, Mizoram	0	0
Bihar	55	55469
Chhattisgarh	21	4328
Delhi	14	3247
Goa-*	4	2393
Gujarat	0	0
Haryana	0	0
Himachal Pradesh	0	0
Jammu & Kashmir	0	0
Jharkhand	14	2192
Karnataka	0	0
Kerala	0	0
Madhya Pradesh	0	0
Maharashtra	100	97942
Manipur	3	109
Meghalaya	0	0
Odisha	0	0
Punjab	0	0
Puducherry	0	0
Rajasthan	0	0
Sikkim	2	10
Tamil Nadu	69	50641
Tripura	3	939
Uttar Pradesh	273	323854
Uttarakhand	4	624
West Bengal	88	38557
Total	722	588992

Annexure-II

STATEMENT REFERRED TO IN REPLY TO PART (b) OF THE LOK SABHA UNSTARRED QUESTION NO.852 TO BE ANSWERED ON 20TH DECEMBER, 2017 REGARDING FAST TRACK COURTS

Funds earmarked for establishment of 1800 Fast Track Courts for a period of five years (2015-2020) as endorsed by the 14th Finance Commission

(Rs. in crore)

S.No	Name of the State	Funds earmarked/allocated	No. of FTCs to be established
1.	Andhra Pradesh	108.21	47
2.	Telangana	85.18	37
3.	Assam	82.88	36
4.	Arunachal Pradesh	0.00	0
5.	Mizoram	16.12	7
6.	Nagaland	6.91	3
7.	Bihar	338.43	147
8.	Chhattisgarh	64.46	28
9.	Gujarat	400.59	174
10.	Himachal Pradesh	29.93	13
11.	Jammu & Kashmir	48.35	21
12.	Jharkhand	115.11	50
13.	Karnataka	218.72	95
14.	Kerala, Lakshadweep	94.39	41
15.	Madhya Pradesh	306.20	133
16.	Maharashtra, D&N, Daman & Diu	469.67	204
17.	Goa	11.51	5
18.	Manipur	6.91	3
19.	Meghalaya	9.21	4
20.	Orissa	145.04	63
21.	Punjab	115.11	50
22.	Chandigarh	4.61	2
	Haryana	110.51	48
23.	Rajasthan	214.11	93
24.	Sikkim	2.3	1
25.	Tamil Nadu, Puducherry	204.91	89
26.	Tripura	20.72	9
27.	Uttar Pradesh	488.08	212
28.	Uttarakhand	64.46	28
29.	West Bengal, A&N Islands	216.42	94
30.	Delhi	145.05	63
	Total	4144.11	1800