

- (b) if so, the details thereof;
- (c) whether any target was fixed for these courts;
- (d) if so, the details of the achievements, so far;
- (e) whether Government has decided to discontinue the financial assistance to these courts; and
- (f) if so, the reasons therefor?

THE MINISTER OF LAW AND JUSTICE (SHRI SALMAN KHURSHEED): (a) and (b) Yes, Sir. Fast Track Courts were set up on the recommendations of the 11th Finance Commission for expeditious disposal of long pending sessions cases and cases involving undertrial prisoners.

(c) and (d) The Finance Commission had recommended creation of 1734 new additional courts for five years upto 31.3.2005. Against that, 1562 Fast Track Courts were functional as on 31.3.2005. The Government had subsequently approved continuation of these 1562 Fast Track Courts for six years upto 31.3.2011. As on 31.3.2011, 1192 Fast Track Courts were functional in the country. Out of 38.99 lakh cases transferred to fast track courts, 32.93 lakh cases have been disposed of as on 31.03.2011. The average disposal per court has been 251 cases in one year.

(e) and (f) The Central Government had provided financial assistance to the State Governments for Fast Track Courts from 2000-01 to 2010-11. The scheme has not been extended beyond 31.03.2011. However, some of the State Governments have continued the Fast Track Courts beyond 31.03.2011 from their own funds.

In its judgment in *Brij Mohan Lal vs. Union of India & Others* on 19.04.2012, the Supreme Court has directed the States that they shall not take a decision to continue the Fast Track Courts scheme on an adhoc and temporary basis. They (States) will need to decide either to bring the Fast Track Courts scheme to an end or to continue the same as a permanent feature in the State.

Speedy disposal of cases

4105. SHRI PARSHOTTAM KHODABHAI RUPALA:

SHRI BHARATSINH PRABHATSINH PARMAR:

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

- (a) whether Government is considering for speedy disposed of pending cases before various courts as it has been observed that many courts are

unnecessarily extending judicial process and there is no mechanism which ensures petitioner to get justice within the prescribed time limit;

(b) whether Government is considering to take strict action against petitioner who make unwanted petitions before courts and create burden on our judicial process; and

(c) whether Government is considering for quick disposal of long-pending cases as in many cases either petitioner or opponent remain absent continuously?

THE MINISTER OF LAW AND JUSTICE (SHRI SALMAN KHURSHEED): (a) and (c) Disposal of pending cases in court is within the domain of the Judiciary. Under the Constitution, control over district and subordinate courts vests in the High Courts having jurisdiction over such courts. However, necessary amendments were made in Section 309 of the Code of Criminal Procedure, 1973 and Order XVII of the Code of Civil Procedure, 1908 *inter-alia*, to avoid frequent adjournments and ensure expeditious court proceedings both in criminal and civil cases.

The Law Commission in its 192nd Report on 'Prevention of Vexatious Litigation' has made suggestions for enactment of legislation to prevent filing of frivolous and vexatious litigations in courts. This has been circulated to all the State Governments/Union Territory Administrations for comments. 22 State Governments and 7 UTs have responded already.

Working of family courts

†4106. DR. PRABHA THAKUR: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether family courts have been constituted to impart quick justice to women in the cases related with sex crimes, domestic violence and social exploitation;

(b) if so, whether any time-frame has been fixed for these family courts to impart quick justice in cases of such serious crimes;

(c) whether judges have been appointed in all such courts; and

(d) if so, the details thereof and if not, the reasons therefor?

THE MINISTER OF LAW AND JUSTICE (SHRI SALMAN KHURSHEED): (a) and (b) No, Sir; Family Courts have been established with a view to promote

†Original notice of the question was received in Hindi.