

conciliation and secure speedy settlement of, disputes relating to marriage and family affairs and for matters connected therewith. Following type of cases are heard in the Family Courts:

1. Decree for nullity of marriage.
2. Restitution of Conjugal rights.
3. Judicial Separation.
4. Divorce.
5. Declaration of marital status of any person.
6. Matrimonial property matters.
7. Claim of maintenance.
8. Guardianship.
9. Custody of children.
10. Access of children.
11. Application for injunction in matrimonial matters.

(c) and (d) As per the information received from State Governments/High Courts, 212 Family Courts are functional. The appointment of judges in Family Courts is within the domain of the respective State Governments and the State High Courts.

Special courts to clear pending cases

4107. SHRI BAISHNAB PARIDA: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether it is proposed to set up special courts in the country to speed up disposal of pending court cases with a focus on criminal cases;

(b) if so, the details thereof;

(c) whether it is also proposed to open special Fast Track Courts in the country to try rape cases; and

(d) if so, the details thereof?

THE MINISTER OF LAW AND JUSTICE (SHRI SALMAN KHURSHEED): (a) and (b) On the recommendations of 13th Finance Commission, a grant of Rs. 2500

crore has been allocated for setting up of Morning/Evening/Shift/Special Magistrates' Courts to try petty cases so as to clear backlog of cases. An amount of Rs. 681.66 crore has so far been released to the States for the purpose. The following types of cases can be inter-alia assigned to these courts:

- (i) Cases pertaining to offences under Indian Penal Code and any other Act or rules where the punishment prescribed is non-custodial;
- (ii) Cheque bouncing cases under Section 138 of the Negotiable Instruments Act, 1881;
- (iii) Petitions for maintenance under Section 125 of the Code of Criminal Procedure, 1973;
- (iv) Criminal revision against granting or refusing to grant interim maintenance under sub-section (3) of section 125 of the Code of Criminal Procedure, 1973 or maintenance under Section 125 of the Code of Criminal Procedure, 1973;
- (v) Petty offences such as:
 - (a) Section 320 of Code of Criminal Procedure, 1973 Tables I and II excluding offence under Sections 324, 325, 335, 344, 357, 379, 381, 406, 407, 408, 411, 414, 418, 419, 420, 429, 430, 451 and 494 of the Indian Penal Code;
 - (b) Sections 160, 279, 294 and 336 of the Indian Penal Code; and
 - (c) all offences under any Act which are punishable with upto 2 (two) years of imprisonment.

In addition to the cases mentioned above, the States may also assign cases, which are not usually contested and are compoundable in nature of these Courts.

On the recommendation of the Hon'ble Chief Justice of India, Central Government has decided to set up 71 additional special courts exclusively for the trial of CBI cases in different States. Of these, 62 CBI courts have started functioning.

(c) No, Sir. There is no such proposal.

(d) Does not arise.

Complaints from MPs

4108. PROF. ANIL KUMAR SAHANI:

DR. K. P. RAMALINGAM:

SHRI UPENDRA KUSHWAHA:

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