

**Closure of Fast Track Courts**

2283. DR. PRADEEP KUMAR BALMUCHU: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether it is a fact that Fast Track Courts set up by Government for speedy disposal of cases have been reeling under serious financial crunch, if so, the details thereof and the reasons therefor;

(b) whether these courts are being closed down gradually for want of funds; and

(c) if so, the measures being taken by Government to strengthen the Fast Track Courts and make them functional?

THE MINISTER OF LAW AND JUSTICE (SHRI D. V. SADANANDA GOWDA):

(a) to (c) Setting up of courts including Fast Track Courts (FTCs) is the responsibility of the State Governments under the Constitution of India. Central funding to States for FTCs, established under the 11th Finance Commission Award, has been discontinued with effect from 1st April, 2011. Some States have, continued FTCs beyond 31.03.2011 with their own resources. Details indicating the number of Fast Track Courts (FTCs) earmarked by 11th Finance Commission in the year 2000, functioning as on 31/03/2005, 31/03/2011 and as per the latest available reports are given in Statement (*See below*).

The Central Government has decided to provide funds upto a maximum of ₹ 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 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 to utilise these positions for creation of FTCs also.

In the Conference of Chief Ministers and Chief Justices held in New Delhi on 7th April, 2013, it has been resolved that the State Governments shall, in consultation with the Chief Justices of the respective High Courts, take necessary steps to establish suitable number of FTCs relating to offences against women, children, differently abled persons, senior citizens and marginalized sections of the society, and provide adequate funds for the purpose of creating and continuing them. Government has requested the State Governments and the Chief Justices of the High Courts to implement this decision.

**Statement**

*Details of number of Fast Track Courts approved for 11th Finance Commission funding in 2000 and functional as on 31.3.2005, 31.3.2011 and on the date*

| Sl. No. | Name of the State | Approved no. of FTCs as in 2000 | No. of FTCs functional as on 31.3.2005 | No. of FTCs functional as on 31.3.2011 | No. of FTCs functioning | As on     |
|---------|-------------------|---------------------------------|--|--|-------------------------|-----------|
| 1       | 2                 | 3                               | 4                                      | 5                                      | 6                       | 7         |
| 1.      | Andhra Pradesh    | 86                              | 86                                     | 108                                    | 72                      | April, 14 |
| 2.      | Arunachal Pradesh | 5                               | 3                                      | 3                                      | 0                       | March, 14 |
| 3.      | Assam             | 20                              | 20                                     | 20                                     | 20                      | Oct.12    |
| 4.      | Bihar             | 183                             | 150                                    | 179                                    | 179                     | March,11  |
| 5.      | Chhattisgarh      | 31                              | 31                                     | 25                                     | 21                      | April,14  |
| 6.      | Goa               | 5                               | 5                                      | 5                                      | 5                       | July, 14  |
| 7.      | Gujarat           | 166                             | 166                                    | 61                                     | 61                      | Feb.,11   |
| 8.      | Haryana           | 36                              | 16                                     | 6                                      | 6                       | Dec.10    |
| 9.      | Himachal Pradesh  | 9                               | 9                                      | 9                                      | 0                       | June, 14  |
| 10.     | Jammu and Kashmir | 12                              | -                                      | -                                      | 5                       | June, 14  |
| 11.     | Jharkhand         | 89                              | 89                                     | 39                                     | 11                      | March, 14 |
| 12.     | Karnataka         | 93                              | 93                                     | 87                                     | 39                      | March, 14 |
| 13.     | Kerala            | 37                              | 31                                     | 38                                     | 38                      | Aug., 13  |
| 14.     | Madhya Pradesh    | 85                              | 66                                     | 84                                     | 84                      | Dec,10    |
| 15.     | Maharashtra       | 187                             | 187                                    | 51                                     | 92                      | June, 14  |
| 16.     | Manipur           | 3                               | 2                                      | 2                                      | 2                       | Oct,12    |
| 17.     | Meghalaya         | 3                               | 3                                      | 3                                      | 3                       | June, 14  |
| 18.     | Mizoram           | 3                               | 3                                      | 3                                      | 3                       | March, 11 |
| 19.     | Nagaland          | 3                               | 2                                      | 2                                      | 2                       | Oct. 12   |
| 20.     | Odisha            | 72                              | 41                                     | 35                                     | 30                      | June, 14  |
| 21.     | Punjab            | 29                              | 18                                     | 15                                     | 20                      | March, 14 |
| 22.     | Rajasthan         | 83                              | 83                                     | 83                                     | 0                       | March,14  |

| 1     | 2             | 3    | 4    | 5    | 6   | 7         |
|-------|---------------|------|------|------|-----|-----------|
| 23.   | Sikkim        | 3    | -    | -    | 1   | March, 14 |
| 24.   | Tamil Nadu    | 49   | 49   | 49   | 32  | June, 14  |
| 25.   | Tripura       | 3    | 3    | 3    | 2   | June, 14  |
| 26.   | Uttar Pradesh | 242  | 242  | 153  | 0   | March 11  |
| 27.   | Uttarakhand   | 45   | 45   | 20   | 0   | July, 14  |
| 28.   | West Bengal   | 152  | 119  | 109  | 77  | Aug., 14  |
| 29.   | Delhi         | -    | -    | -    | 10  | March, 14 |
| TOTAL |               | 1734 | 1562 | 1192 | 815 |           |

**Complaints against members of ITAT, Kolkata**

2284. SHRI SALIM ANSARI: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether Government has received complaints against members of Income Tax Appellate Tribunals (ITAT), Kolkata, during the last two years;

(b) if so, the details thereof and the nature of complaints received, member-wise;

(c) the action Government has taken in the matter so far;

(d) whether CBI has also warned ITAT to review the rules pertaining to “pre-judged” and “pre-written” orders under Section 263 of the Income Tax Act, 1981, so as to bring transparency in the system; and

(e) if so, the details thereof and action taken by ITAT, Kolkata on the warning of CBI?

THE MINISTER OF LAW AND JUSTICE (SHRI D. V. SADANANDA GOWDA):  
(a) to (c) An anonymous complaint dated 17.11.2014 against two members of the Income Tax Appellate Tribunal (ITAT), Kolkata Bench, relating to their behaviour while sitting in the Benches, was received on 1st December, 2014, which has been processed as per the extant guidelines relating to anonymous complaints.

(d) and (e) ITAT has reported that it has nothing on its records in this regard.

**Foreign visits by members of ITAT, Kolkata**

2285. SHRI A. W. RABI BERNARD: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether it is a fact that several members of Income Tax Appellate