

**GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE**

**RAJYA SABHA
UNSTARRED QUESTION NO. 2186
ANSWERED ON 21.12.2023**

CONTINUATION OF FTSCs AS CENTRALLY SPONSORED SCHEME

2186. DR. DHARMASTHALA VEERENDRA HEGGADE:

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

- (a) whether Government has approved continuation of Fast Track Special Courts (FTSCs) as a Centrally Sponsored Scheme recently, if so, details thereof;
- (b) the duration of the Scheme, features and the financial implication, including Central and State share;
- (c) the achievements of FTSCs so far;
- (d) the challenges related to FTSCs;
- (e) whether Government is providing adequate infrastructure, support staff and modern technology to FTSCs to ensure smooth and efficient operations, if so, details thereof;
- (f) efforts made to fill vacancies promptly and ensure that judges with relevant expertise are assigned to FTSCs; and
- (g) names of the participating States/ UTs in the Scheme?

ANSWER

**MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY
OF LAW AND JUSTICE; MINISTER OF STATE IN THE MINISTRY OF
PARLIAMENTARY AFFAIRS; AND MINISTER OF STATE IN THE
MINISTRY OF CULTURE
(SHRI ARJUN RAM MEGHWAL)**

(a) & (b): The Union Cabinet has approved the continuation of the Fast Track Special Courts Scheme for another three years i.e. from 01.04.2023 to 31.03.2026

at a total outlay of Rs. 1952.23 cr. with Rs. 1207.24 cr. as Central Share to be incurred from Nirbhaya Fund and remaining Rs. 744.99 cr. as State Share.

The fund-sharing pattern of the Scheme is 60:40 (Centre: State) and 90:10 for the North Eastern and 3 Himalayan States/UTs. However, 100% Central fund is provided for Union Territories without legislature.

Flexibility in reallocation of Courts within States/UTs has been permitted within the overall number of Fast Track Special Courts, as per the requirement.

(c): As per the data submitted by various High Courts, 758 FTSCs including 412 exclusive POCSO Courts are functional in 30 States/UTs. Notably, the number of functional Fast Track Special Courts, including exclusive POCSO Courts, has undergone a substantial increase, rising from 366 FTSCs in the financial year 2019-2020 to 758 FTSCs as of October, 2023.

Setting up FTSCs demonstrates the unwavering commitment of the Government towards women security, combating sexual and gender-based violence, reducing the backlog of pending cases related to Rape & POCSO Act, and providing expedited access to justice for survivors of sexual crimes. Staffed with professional and experienced judges and support staff specialized in handling sensitive sexual offences cases, these courts ensure consistent and expert-guided legal proceedings. FTSCs have notably adopted the approach of setting up Vulnerable Witness Deposition Centres within the courts to facilitate the victims and to make the courts into Child-Friendly Courts thereby providing crucial support for a compassionate legal system.

Monthly Disposal in the FTSCs has risen from 1000-1500 cases per month during FY 2021-2022 to more than 6000 cases per month in October, 2023. So far these courts have disposed more than 2,00,000 cases as on October 31, 2023. As per the information provided by the High Courts on the FTSCs dashboard, in the current year, a total of 69,098 cases were instituted till October, 2023 while 64,004 cases have been disposed of, resulting in a disposal rate of 92%.

(d): Fast Track Special Courts encounter certain challenges impacting their efficiency:

- **Delayed FSL Reports:** The courts face delays in the submission of Forensic Science Laboratory (FSL) Reports, hindering the progress of cases and often leading to prolonged trials.
- **Inadequate Number of Public Prosecutors:** Insufficient staffing of Public Prosecutors limits the court's ability to handle cases efficiently, causing bottlenecks in the judicial process.
- **Witnesses' Unavailability:** Difficulties in ensuring witnesses' appearances in court add to the delays, creating hindrances in presenting crucial testimonies and evidence for timely resolution of cases.

(e) & (f) : As the Fast Track Special Courts Scheme is a temporary Scheme, it does not intend to create any permanent infrastructure. The courts are made functional in suitable premises as decided by the States/UTs and respective High Courts.

Under the Scheme, provisions of funds is made for meeting the salary component of one Judicial Officer and seven staff members besides Flexi Grant for meeting operational expenditure like computers, office equipment etc. As per the FTSCs guidelines, the States/UTs may engage judicial officers and court staff on contractual basis where sufficient manpower is not available.

Judicial Officers from District and Subordinate Judiciary are also posted as Presiding Officers of FTSCs and as regards the filling up of vacancies in the District Courts/Subordinate judiciary is concerned, the Constitutional provisions, under proviso to Article 309 read with Articles 233 and 234 of the Constitution, confers the power to the State Government to be exercised in consultation with the respective High Court to frame the rules and regulations regarding the issues of appointment and recruitment of Judicial Officers in the respective State Judicial Service. The Central Government has no direct role in the matter. For the selection and appointment of judicial officers in the Subordinate/District Courts, in some

States, the respective High Courts undertake the recruitment process, whereas in other States, the High Courts do it in consultation with the State Public Service Commissions.

FTSC guidelines allow the States/UTs to engage judicial officers and court staff on contractual basis where sufficient manpower is not available. Services of retired judicial officers with relevant experience can also be engaged to dispose of cases in the FTSCs.

(g): Names of the participating States/UTs is given at **Annexure**.

**Annexure as referred to in Reply to the Rajya Sabha Unstarred Question No. 2186
for answer on 21st December 2023****States/UTs participating in the Fast Track Special Courts Scheme as on October, 2023**

Sl. No.	Name of State/UT
1	Chhattisgarh
2	Gujarat
3	Mizoram
4	Nagaland
5	Jharkhand
6	Madhya Pradesh
7	Manipur
8	Haryana
9	Chandigarh
10	Rajasthan
11	Tamil Nadu
12	Tripura
13	Uttar Pradesh
14	Uttarakhand
15	Delhi
16	Meghalaya
17	J&K
18	Punjab
19	Himachal Pradesh
20	Karnataka
21	Telangana
22	Puducherry
23	Andhra Pradesh
24	Assam
25	Bihar
26	Goa
27	Kerala
28	Maharashtra
29	Odisha
30	West Bengal