

## Fast Tack Courts in India

### Why in news?

The government has proposed to set up 1,023 fast-track courts (FTCs) to clear the cases under the Protection of Children from Sexual Offences (POCSO) Act.

### What is the FTCs' state in India?

- Fast-track courts (FTCs) are created primarily to deal with the judicial backlog.
- [A '[special court](#)' is one which is to deal with special types of cases under a shortened and simplified procedure.]
- Fast-track courts (FTCs) have been around for a long time, with the first ones being established in the year 2000.
- At the end of March, 2019 there were 581 FTCs operational in the country, with approximately 5.9 lakh pending cases.
- Uttar Pradesh has the most number of cases.
- However, 56% of the States and Union Territories, including Karnataka, Madhya Pradesh and Gujarat, had no FTCs.
- In terms of money, Rs. 870 crore was released by the Centre between 2000-2001 and 2010-2011 towards these FTCs.
- **Variations** - With all these years of experience and money spent, there is a decline of FTCs across the country.
- Besides, systemic issues prevail in the States that have the courts.
- There is a huge variation in the kinds of cases handled by these courts across States.
- Certain States primarily allocate rape and sexual offence cases to FTCs and other States allocate various other matters.
- Further, several FTCs lacked technological resources to conduct audio and video recordings of the victims and many of them did not have regular staff.

### What is the recent SC order?

- Recently, the Supreme Court in a suo motu petition had issued directions in this regard.
- It stated that districts with more than 100 cases pending under the POCSO Act need to set up special courts that can deal specifically with these cases.

## **How effective will increasing FTCs be?**

- A mere increase in the number of judges may not necessarily lead to a direct reduction in pendency of cases.
- Increasing the number of courts as a recourse to deal with the mounting backlog has been a common practice.
- In this line, large sums of money and attention are being devoted to creating additional posts.
- However, little is being done to identify and address the prevalent systemic issues.
- Without fully optimising the current mechanisms and resolving the problems, sanctioning more judges may not provide the intended results.

## **What is to be done?**

- Identifying systemic issues and addressing the concerns is as important for timely disposal of cases as increasing the number of judges.
- The factors that have an impact on disposal of cases in judiciary include -
  - i. inadequate staff and IT infrastructure
  - ii. delay in getting reports from the understaffed forensic science laboratories
  - iii. frivolous adjournments
  - iv. over-listing of cases in the cause list
- Also, given the vacancies in subordinate courts, it is to be seen if States would hire additional judges or appoint FTCs from the current pool of judges.
- The latter could prove to be problematic as it would increase substantially the workload of the remaining judges.
- For the FTCs to become successful, States will need to take stock of the issues at the ground level.
- States should engage with the principal and senior district judges to get a sense of issues the courts are facing in various districts.
- Equal attention must be paid to both the metropolitan and far-flung non-metropolitan areas.
- For the overall system to work productively, it is important to ensure that its various components work efficiently and without any hindrance.

**Source: The Hindu**



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