

# Fast Track Courts

## Brief Note On The Scheme Of Fast Track Courts (Non-Plan)

- The Eleventh Finance Commission recommended a scheme for creation of 1734 Fast Track Courts (FTCs) in the country for disposal of long pending Sessions and other cases. The Ministry of Finance sanctioned an amount of Rs.502.90 crores as "special problem and upgradation grant" for judicial administration. The scheme was for a period of 5 years. The Finance Commission Division (FCD), Ministry of Finance released funds directly to the state Governments under the scheme of Fast Track Courts. It is the primary responsibility of the State Governments to establish these courts in consultation with the concerned High Courts.
- The FTCs were established to expeditiously dispose of long pending cases in the Sessions Courts and long pending cases of undertrial prisoners.
- The term of scheme on the Fast Track Courts which were recommended by the Eleventh Finance Commission ended on 31st march, 2005. The Supreme Court, which is monitoring the functioning of Fast Track Courts through the case of Brij Mohan Lal Vs UOI & Ors observed that the scheme of Fast Track Courts should not be disbanded all of a sudden and in its order dated 31st march, 2005, directed the Union of India to continue the Fast Track Courts.
- The Government accorded its approval for the continuation of 1562 Fast Track Courts that were operational as on 31.3.2005 for a further period of 5 years i.e. up to 31st March, 2010 with a provision of Rs. 509 crores. The Department of Justice is monitoring the scheme.
- The Central assistance under the above said scheme is limited to an approved norm i.e. Rs. 4.80 lakh per court per annum (recurring) and Rs. 8.60 lakh (non-recurring). Any expenditure incurred by the State in excess as recurring and /or non-recurring expenditure would have to be borne by the State Government.

**Year-wise funds released by Department of Justice is indicated below:**

<b>Year</b>	<b>Grant released</b>
2005-06	Rs.100.00 crore
2006-07	Rs.100.00 crore
2007-08	Rs. 57.2 crore
2008-09	Rs. 54.56 crore
2009-10	Rs. 56.13 crore
2010-11	Rs. 73.16 crore

- As per the information received from the High Courts/State Governments, 32.34 lakh cases have been disposed off by these courts, out of 38.90 lakh transferred to these courts leaving 6.56 lakh cases pending for disposal.
- The scheme of central assistance for Fast Track Courts was extended for a period of one year i.e. upto 31.3.2011. It was decided that there will be no central funding for Fast Track Courts beyond 31-03-2011.
- Central funding was discontinued w.e.f 2011-12. However as per the judgment passed in Brij Mohan Lal case by the Hon'ble Supreme Court of India, States were given the liberty to either continue the FTC Scheme or to discontinue it as per their discretion. Further Union of India decided to allocate funds to the States on a matching basis (subject to maximum of **Rs. 80.00 crore** per annum) till 31.03.2015. A number of States have hence discontinued the Scheme.
- The 14<sup>th</sup> Finance Commission endorsed the proposal for setting up 1800 FTCs at a cost of **Rs.4144.00 crore**. It also urged the State Governments to utilize the enhanced devolution of central taxes from 32% to 42% to fund this effort. As on 31.12.2018, **699** FTCs are functional across the country dealing cases pertaining to heinous crimes and cases related to women, children, senior citizens, disabled and litigants affected with terminal ailments etc. and Civil natured Cases pertaining to property disputes that are 5 years old.