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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