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Prime Minister's Proposal for Fast-Track Courts in Paper Leak Cases Revives Debate on Speedy Justice and Judicial Reforms

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Recent Development:

- Amid nationwide protests over examination paper leaks, **Prime Minister Narendra Modi** proposed establishing **Fast-Track Courts (FTCs)** for expeditious trial of paper leak cases, bringing renewed attention to the effectiveness of India's fast-track justice system.
- The proposal has revived the broader debate on whether **Fast-Track Courts** alone can substantially reduce judicial delays without addressing systemic challenges such as judge vacancies, inadequate infrastructure, poor investigation quality, and rising case inflow.

Fast-Track Courts: Meaning and Evolution:

Meaning, Nature:

- **Fast-Track Courts (FTCs)** are special judicial forums established to ensure **speedy disposal of identified categories of cases** without creating a separate judicial hierarchy.
- They function within the existing judicial system by assigning designated judges and prioritising specified categories of cases.
- **Fast-Track Courts** are not created under any single comprehensive central legislation, and their establishment primarily depends upon administrative decisions of the Union and State Governments in consultation with the respective High Courts.

Historical Evolution:

- The concept of **Fast-Track Courts** was initially introduced in **2000** following the recommendations of the **Eleventh Finance Commission** to reduce long-pending criminal cases.
- The **Fourteenth Finance Commission (2015–2020)** recommended strengthening the mechanism by supporting approximately **1,800 Fast-Track Courts** for priority categories of litigation.
- The responsibility for establishing and operating **Fast-Track Courts** largely rests with the **States and Union Territories**, while the Union Government provides financial support under specific schemes.

Objectives and Need for Fast-Track Courts:

Primary Objectives:

- Ensure **speedy justice** in matters involving serious public interest.
- Reduce judicial backlog and long-pending cases.
- Protect the rights of vulnerable victims through time-bound trials.
- Improve public confidence in the criminal justice system.
- Strengthen the constitutional guarantee of **access to justice**.

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Categories of Cases Generally Assigned:

- **Heinous offences**, murder, kidnapping, extortion.
- **Property disputes** pending for more than five years.
- Cases involving **women, children, senior citizens, persons with disabilities** and **terminally ill persons**.
- Other categories notified by the respective State Governments and High Courts.

Fast-Track Special Courts (FTSCs):

Background:

- Following the **Criminal Law (Amendment) Act, 2018** and directions of the **Supreme Court**, the Union Government launched the **Centrally Sponsored Scheme for Fast-Track Special Courts (FTSCs)** in **October 2019**.
- These courts exclusively deal with **rape cases** and offences under the **Protection of Children from Sexual Offences (POCSO) Act, 2012**.
- The Scheme is substantially financed through the **Nirbhaya Fund** and aims at time-bound disposal of cases involving sexual offences.

Salient Features:

- Dedicated judicial infrastructure for specified offences.
- Exclusive **POCSO Courts** in districts with heavy case load.
- Time-bound trial and monitoring.
- Central financial assistance with State participation.
- Periodic review of performance by the Department of Justice.

Constitutional and Legal Framework:

Constitutional Provisions:

- **Article 14:** Equality before law and equal protection of laws.
- **Article 21:** Right to life includes the **Right to Speedy Trial**.
- **Article 39A:** Equal justice and free legal aid.

Important Judicial Principles:

- **Speedy trial** is recognised as a fundamental component of **fair procedure** under Article 21.
- Special judicial mechanisms must satisfy the constitutional test of **reasonable classification** under Article 14.

Can a Special Court Be Created for a Single Case?:

Constitutional Position:

- Creation of a **Special Court** cannot violate **Article 14**.
- Classification must be based upon **intelligible differentia** and have a rational nexus with the legislative objective.
- Mere desire for faster disposal cannot justify arbitrary selection of individual cases.

Important Supreme Court Judgment:

- **State of West Bengal v. Anwar Ali Sarkar (1952):**
- The Supreme Court struck down legislation permitting arbitrary transfer of cases to Special Courts.

- The Court held that **speed alone** is an uncertain and inadequate basis for classification.
- Fast-tracking must be based upon objective considerations such as the nature of offences or vulnerability of victims.

Important Precedents of Case-Specific Special Courts:

Major Examples:

- A **Special Court** was constituted in **2010** for the **Satyam Computer Services financial fraud**.
- The **Supreme Court** directed establishment of a dedicated **Special Court** for the **2G Spectrum Allocation Case**, which commenced functioning in **March 2011**.
- The possibility of constituting a Special Court for the **NEET Paper Leak Case** remains subject to judicial and administrative consideration.

Trial Timelines and Disposal Targets:

Position under Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023:

- Criminal trials should ordinarily conclude within **two years**.
- Trials relating to **sexual offences** should preferably conclude within **two months**, subject to practical feasibility.
- These timelines operate as guiding principles rather than absolute statutory mandates.

Performance Benchmarks for FTSCs:

- Each **Fast-Track Special Court** is expected to dispose of approximately **41–42 cases every quarter**.
- Annual disposal target is around **165 cases per court**.
- Performance is periodically reviewed under the Centrally Sponsored Scheme.

Present Status of Fast-Track Courts in India:

Current Institutional Position (January–April 2026):

- **862 Fast-Track Courts** were functioning across **21 States and Union Territories** as of **31 January 2026**.
- Around **775 Fast-Track Special Courts**, including **398 Exclusive POCSO Courts**, were operational across **29 States and Union Territories** by **30 April 2026**.

Performance Indicators:

- **Fast-Track Special Courts** recorded a disposal rate of nearly **96%**.
- During **2024**, approximately **88,902** new cases were instituted while **85,595** cases were disposed of.
- On average, each **Fast-Track Special Court** disposes of nearly **9.5 cases every month**, compared to about **3.3 cases** in an ordinary trial court of similar jurisdiction.
- Despite improved disposal rates, more than **2.4 lakh cases** remained pending by the end of **2023**, indicating that new case inflow continues to exceed disposal capacity.

Reasons Behind Continuing Delays:

Administrative Factors:

- Inadequate judicial infrastructure.
- Large number of judicial vacancies.
- Insufficient courtroom capacity.
- Uneven distribution of courts across States.

Investigation-Related Factors:

- Poor quality of investigation.
- Delay in forensic examination.
- Weak evidence collection.
- Frequent adjournments.

Institutional Factors:

- Shortage of prosecutors.
- Delay in witness examination.
- Limited cooperation among stakeholders.
- Procedural complexities in criminal trials.

Government's Position:

- The **Ministry of Law and Justice**, in its **March 2026 Lok Sabha reply**, attributed delays to infrastructure limitations, complexity of cases, quality of investigation, availability of forensic support, cooperation among stakeholders, witnesses and litigants, and proper procedural compliance.

Judicial Position on Time Limits for Criminal Trials:

P. Ramachandra Rao v. State of Karnataka (2002):

- A **Seven-Judge Constitution Bench** held that courts cannot prescribe rigid outer limits for completion of criminal trials.
- Judicially fixed timelines amount to **judicial legislation**, which falls outside the constitutional role of courts.
- Delay must therefore be examined on the facts of each individual case.

Advantages of Fast-Track Courts:

Institutional Benefits:

- Faster disposal of priority cases.
- Better protection for vulnerable victims.
- Reduction in judicial backlog.
- Improved public confidence.
- Strengthening of access to justice.

Governance Benefits:

- Better implementation of criminal justice reforms.
- Greater accountability in sensitive offences.
- Enhanced deterrence through timely adjudication.
- Improved monitoring through specialised courts.

Challenges Before Fast-Track Courts:

Structural Challenges:

- Shortage of judges.
- Inadequate court infrastructure.
- Limited financial resources.

- Increasing litigation.

Operational Challenges:

- Heavy workload even within Fast-Track Courts.
- Delay in investigation.
- Shortage of forensic laboratories.
- Witness protection concerns.
- Inconsistent implementation across States.

Way Forward:

Institutional Reforms:

- Fill judicial vacancies in a time-bound manner.
- Expand court infrastructure.
- Increase specialised judicial manpower.
- Strengthen forensic capacity.

Procedural Reforms:

- Promote digital case management.
- Improve investigation quality.
- Reduce unnecessary adjournments.
- Enhance witness protection mechanisms.

Policy Reforms:

- Develop objective criteria for constituting Fast-Track Courts.
- Periodically evaluate court performance using measurable indicators.
- Integrate **e-Courts**, **National Judicial Data Grid (NJDG)** and digital case-tracking systems for evidence-based judicial administration.

Value Addition for UPSC:

Important Supreme Court Judgments:

- **Hussainara Khatoon v. State of Bihar (1979):** Recognised the **Right to Speedy Trial** as part of **Article 21**.
- **State of West Bengal v. Anwar Ali Sarkar (1952):** Arbitrary classification for Special Courts violates **Article 14**.
- **P. Ramachandra Rao v. State of Karnataka (2002):** Courts cannot prescribe rigid statutory timelines for criminal trials.
- **A.R. Antulay v. R.S. Nayak (1992):** Delay in trial must be assessed on a case-specific basis while balancing the rights of the accused and the interests of justice.
- **Common Cause v. Union of India (1996):** Emphasised timely disposal of criminal cases while safeguarding fair trial principles