

What are Fast Track Courts?

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The right to a speedy trial is an essential aspect of criminal justice. In the United States, speedy trials are guaranteed by law while the European Convention on Human Rights mandates trials within reasonable times. Although India's Constitution doesn't explicitly enumerate this fundamental right as one of its fundamental rights, Article 21 ensures fair and just procedures and thus implicitly guarantees speedy trials as fundamental rights. It states that no one shall be deprived of his life or liberty except in accordance with the procedure established by law. Also, the procedure should be reasonable, fair and just. However, the process cannot be just unless it guarantees a speedy trial to ascertain the accused's guilt. Thus, it is without dispute that the basic right to life and liberty guaranteed by Article 21 includes the necessity of a speedy trial as one of its essential components.

Despite guaranteeing fundamental rights, the existing judicial system is in dire need of reform because of its notorious delays. The systemic inadequacy is evident; numerous cases remain pending before lower and High Courts, many being criminal in nature and having low conviction rates; as a result, people seeking justice outside of legal channels are seeking extrajudicial recourses, leading to questions over its efficacy and legitimacy. Court schedule adjustments, procedural rationalization, and the filling of judicial vacancies are some of the steps taken to solve this.

To address this issue, Fast Track Courts (FTCs) have been established on the recommendation of the 11th Law Commission of India and under Section 275 of the Constitution. Rs.502.90 crores have been allocated to the States to establish such Courts in consultation with the respective High Courts.

OBJECTIVE OF FAST TRACK COURTS:

The main objective of FTCs is to prioritize and expedite the disposal of cases. These specialized courts are given specific targets to achieve within

a defined time frame. They are expected to examine all witnesses in a single trial and focus on a specific category of cases. Unlike regular courts, FTCs are strict in their business and avoid unnecessary adjournments, ensuring a speedier trial process. They help reduce the burden on regular courts and decrease the backlog of cases.

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ADVANTAGES OF FAST TRACK COURTS:

FTCs offer several advantages in the Indian judicial system:

1. Decongesting the judicial system: The Indian judiciary is known for its slow disposal of cases, resulting in a massive backlog. FTCs aim to address this issue by facilitating the swift resolution of cases, including long-standing ones.
2. Delivering justice for undertrials: Undertrial individuals who are awaiting trial often spend years in detention, causing undue hardship and potential injustice. FTCs expedite this process, ensuring that undertrials receive their trial dates more promptly, preventing prolonged incarceration for those who may be innocent.
3. Delivering justice to victims: Victims and their families often endure lengthy trials, which can be emotionally distressing. FTCs play a crucial role in delivering justice and closure to victims, particularly in cases of sexual assault and other crimes.

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CHALLENGES FACED BY FAST TRACK COURTS:

Despite their intended purpose, FTCs encounter several challenges:

1. Logistical issues: FTCs face logistical challenges, such as gaps in technology, staff shortages, and delayed forensic reports. These issues hinder the efficient functioning of the courts, particularly in rural areas.
2. Problems of prioritization: Determining which cases should be fast-tracked is a complex task. Decisions often depend on political factors and public sentiment. Balancing the need for timely justice across different types of crimes can be a challenging and contentious process.
3. Ensuring integrity and thoroughness: Courts must ensure justice is delivered swiftly while still upholding their integrity when rendering judgments. Rushing cases involving serious offenses like rape may lead to misjudgments; expedited processes should not compromise an unbiased evaluation of evidence.

CONCLUSION:

Fast Track Courts play an indispensable role in expediting India's legal system and providing justice and closure to victims, yet they face various challenges related to logistics, prioritization and maintaining integrity of the judicial process. Tackling these challenges will enable Fast Track Courts (FTCs) to fulfill their intended purposes and contribute to creating an efficient criminal justice system in India.