

Fast Track Courts

Fast Track Courts (FTCs) are specialised judicial mechanisms designed to expedite the resolution of certain categories of cases. However, numerous misconceptions surround their functioning, purpose, and effectiveness. This document addresses 30 common myths about **Fast Track Courts**, providing clarity on their actual role in the Indian judicial system.



Misconceptions About FTC Purpose and Functioning

✗ **Fast track courts (FTCs)** guarantee instant justice.

✓ **FTCs** expedite certain categories but outcomes depend on resources, staffing and case complexity.

✗ **FTCs** dispense with **fair trial** safeguards for speed.

✓ **Fair trial** standards must still be respected; speed cannot justify denial of rights.

✗ All cases in **FTCs** are criminal only.

✓ Many **FTCs** handle specific case types (e.g., sexual offences, long pending cases) — may include civil special courts too.

✗ **FTCs** automatically reduce pendency across the system.

✓ They relieve burden partly, but systemic reforms required for comprehensive reduction.

✗ **FTC** verdicts are not **appealable** because of speed.

✓ Normal **appeal** routes apply; speed does not curtail **appellate rights**.

✗ **FTCs** require special laws to be established.

✓ Often created under existing judicial/administrative frameworks by notification and policy, not necessarily new statutes.

✗ **FTCs** are only urban phenomena.

✓ Can be set up in districts/rural jurisdictions depending on need and resources.

✗ **FTCs** always have more **judges** than regular courts.

✓ Staffing varies; infrastructure and support services are equally crucial.

✗ **FTCs** can function without **prosecutors** and **defence counsel**.

✓ Skilled prosecution and defence are essential for **fair and speedy trials**.

✗ **FTCs** do not require proper **evidence management**.

✓ Efficient case management and **evidence handling** are core to their success.

Myths About FTC Operations and Quality

✗ **FTCs** are intended only for political convenience.

✓ Purpose is to deliver timely **justice** for certain categories (e.g., sexual violence), though political motives may influence roll-out.

✗ Creating **FTCs** solves **quality of justice** issues.

✓ Speed is one dimension; quality, **legal aid**, **investigation quality** also matter.

✗ **FTCs** can be created by **executive fiat** without **judiciary**.

✓ Establishment typically involves **judiciary**, executive and legislature coordination.

✗ **FTCs** drop procedural formalities entirely.

✓ They streamline procedures but must preserve **due process**.

✗ **FTCs** eliminate backlog permanently.

✓ They provide temporary relief but require permanent structural change for lasting effect.

✗ **FTCs** are immune to **appeals** on grounds of procedural lacunae.

✓ **Appeals** are available where procedures or rights are compromised.

✗ **FTCs** always have better **conviction rates**.

✓ **Conviction** depends on evidence quality and **due process**, not merely speed.

✗ **FTCs** are cheaper to run than **regular courts**.

✓ They can be costly due to concentrated resources, special infrastructure and training.

✗ **FTCs** are only for high-profile crimes.

✓ Designation depends on case type **policy**, not profile alone.

✗ **FTCs** are temporary and cannot be **institutionalised**.

✓ They can be **institutionalised** or wound down based on **policy** and need.

Common Fallacies About FTC Implementation

✗ Police investigation standards are relaxed for FTC cases.

✓ Investigations must meet legal standards; weak investigations hamper FTC efficacy.

✗ FTCs function best without video/technology.

✓ Case management systems and technology often improve FTC performance.

✗ FTC judges are immune to transfer to preserve continuity.

✓ Transfers may occur; continuity is desirable but not always guaranteed.

✗ FTCs remove the need for legal aid.

✓ Effective legal aid is essential, especially in expedited trials.

✗ Fast disposal equals fair disposal.

✓ Speed must be balanced with fairness and thorough adjudication.

✗ FTCs can try cases day and night nonstop.

✓ Working hours and judicial welfare matter; sustainable scheduling is needed.

✗ FTCs can be set up without stakeholder consultation.

✓ Best practice involves consultation with judiciary, bar, police and victims' groups.

✗ FTCs are suitable for all case types.

✓ Not all cases are fit; complex or evidence-heavy matters may be unsuitable.

✗ FTC outcomes are immune from transparency norms.

✓ FTC proceedings are subject to court rules, reporting restrictions may apply for sensitive cases.

✗ FTCs solve culture of delay by themselves.

✓ They are one component of a multi-pronged strategy (infrastructure, judges, investigation, ADR).