

**“Training Module for Fast Track Special Courts”
Department of Justice**



Submitted By

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Introduction

In its steadfast commitment to ensuring the safety and security of women and the girl child, the Government of India enacted the Criminal Law (Amendment) Act, 2018, introducing stringent punishments, including the death penalty, for perpetrators of rape. Rising incidents of sexual offences and prolonged trials highlighted the urgent need for a dedicated judicial mechanism to provide swift justice and immediate relief to victims.

To address this need, the Department of Justice has been implementing, since October 2019, a Centrally Sponsored Scheme for the establishment of Fast Track Special Courts (FTSCs), including exclusive Protection of Children from Sexual Offences (POCSO) Courts, across the country for expeditious trial of sexual offence cases. Each court comprises one Judicial Officer and seven supporting staff members. Out of 31 eligible States and Union Territories, 30 have joined the scheme. Puducherry, by special request, operationalized its exclusive POCSO Court in May 2023.

Initially sanctioned for one year (2019–20 to 2020–21) with a total outlay of ₹767.25 crore, including ₹474.00 crore as the Central share from the Nirbhaya Fund, the scheme has been extended multiple times. It continued until March 2023 with an outlay of ₹1,572.86 crore (₹971.70 crore Central share) and was further extended by the Union Cabinet on 28 November 2023 for three more years, from 1 April 2023 to 31 March 2026, with a financial outlay of ₹1,952.23 crore, including ₹1,207.24 crore as the Central share.

Central share allocations to States/UTs have been released as follows: ₹140.00 crore in FY 2019–20; ₹160.00 crore in FY 2020–21; ₹134.56 crore in FY 2021–22; ₹200.00 crore each in FY 2022–23, FY 2023–24, and FY 2024–25. For FY 2025–26, an allocation of ₹200.00 crore has been earmarked, out of which an amount of Rs.65.52 cr. has been released till 30.09.2025.¹

¹ <https://doj.gov.in/fast-track-special-court-ftscs/>.

As of August 2025, 773 FTSCs including 400 exclusive POCSO Courts are operational across 29 States/UTs, collectively disposing of 3,44,880 cases, thereby significantly contributing to the delivery of timely justice.

This Training Module aims to guide concerned judges across India in understanding the concept of Fast Tack Special Courts – their purpose, reason for establishment, and the extent to which they can assist judges in expeditiously deciding matters.

Fast track special Courts are dedicated courts set up to ensure speedy trial and disposal of specific categories of sensitive cases, particularly those involving sexual offence and cases under the Protection of Children from Sexual Offences (POCSO) Act. Its establishment in India followed clear directives from the Supreme Court in ***RE: ALARMING RISE IN THE NUMBER OF REPORTED CHILD RAPE INCIDENTS***, SUO MOTO WRIT (CRIMINAL) NO.1/2019.

Objective

To suggest uniform procedures for the presiding officers of POCSO courts, the present scheme of Department of Justice aims at effective implementation of Criminal Law Amendment Act, 2018 by ensuring targeted disposal of pending Rape & POCSO Act cases by expediting the judicial process and increasing the efficiency of Fast Track Special Courts (FTSCs) across the country. It is to ensure speedy, sensitive, and victim-centric justice in cases involving sexual violence.

Functioning of the FTSCs

FTSCs in India were designed with the primary goal of expediting the judicial process, particularly in cases of serious offenses, such as sexual assault, rape and POCSO cases. These courts function with a streamlined approach compared to regular courts, allowing them to focus on specific case categories with heightened efficiency. Structurally, FTCs resemble regular courts, featuring a presiding judge, court staff, and essential infrastructure. What sets them apart is their distinct specialization in managing cases requiring urgent attention. Judges in these FTSCs often undergo special training, especially for handling sensitive cases involving child sexual abuse, enabling them to address unique challenges such as confidentiality, sensitivity, and the need for quick resolutions. In terms of operations, FTCs work under a mandate to prioritize cases within their

jurisdiction, by employing rigorous case management practices where cases are scheduled and heard on an expedited timeline. Unlike regular courts with a broader caseload, FTCs focus on a limited set of cases, allowing for faster case disposals. These courts frequently utilize technological tools, such as videoconferencing and digital case management, to further enhance their procedural efficiency.

Key Clarification

1. FTSCs are initially set up for **one year**, with periodical extensions.
2. The Scheme does **not** aim to create permanent infrastructure.
3. FTSCs will function in **suitable premises** taken on lease or as notified by the States/UTs and respective High Courts.
4. Each FTSC will have:
 - **One Judicial Officer**
 - **Seven staff members**
5. The Judicial Officer and staff will work **exclusively** for disposal of **Rape and POCSO Act cases** under this Scheme. **No other cases** of crimes against women and children should be transferred to these courts.
6. **Additional charge** of FTSCs will **not** be assigned to any existing Judicial Officer or court staff.
7. States/UTs may appoint court staff on a **contractual basis** if sufficient manpower is unavailable.
8. **Retired Judicial Officers** with relevant experience with the subject matter may also be engaged for disposal of such cases.
9. All pending rape and POCSO Act cases in other courts may be identified and transferred to the newly established FTSCs under the Scheme.
10. Each FTSC should be designated as a Fast Track Court in the Master Data, and the 'Judicial Officer Code' of the Presiding Officer should be recorded with the FTSC in the National Judicial Data Grid (NJDG) for efficient tracking of case disposal.
11. A dedicated budget head should be established to receive funds for the FTSCs. These funds may be utilized for payment of salaries and honoraria, maintenance and operation of court

premises, procurement of equipment and technology, specialized training, implementation of case management systems, and support services for victim welfare and rehabilitation. The Law Departments of States/UTs should promptly inform the Department of Justice about the action taken in this regard to facilitate early fund transfers.

Overview and Objectives of the Training Module

The training module has been designed to provide participants with a comprehensive understanding of the provisions of the Act, its underlying objectives, and its practical implementation in the justice system. Presented in a structured, point-wise manner, the module aims to enhance knowledge, build sensitivity, and streamline and expedite the handling of cases involving child victims with care, efficiency, and sensitivity by the Judicial Officers of FTSCs.

Theme I: Evidentiary Challenges and Reverse Burden in POCSO Cases – Addressing Complexities and Enhancing Judicial Evaluation

Sub-themes:

- *Collection, preservation & appreciation of evidence*
- *Standard of proof & presumption of culpable mental state*
- *Section 29 presumption vis-à-vis cumulative charges under BNS*

Objective: Evidentiary issues in POCSO cases are often complex, requiring courts to carefully balance legal standards with scientific and technological inputs. Medical examinations, while essential in establishing signs of abuse, may not always yield conclusive proof, especially in instances where physical evidence is absent or delayed. Similarly, forensic evidence, though valuable, can be compromised by lapses in collection, preservation, or chain of custody. With the increasing role of technology, digital evidence—such as electronic communications, photographs, and online activity—has emerged as a crucial tool, but it too presents challenges relating to authenticity, admissibility, and privacy. In addition to these evidentiary hurdles, POCSO trials are governed by the special statutory framework of reverse burden and presumptions under the Act, which places a heightened responsibility on the accused to rebut allegations once a prima facie case is established. This distinctive feature, while designed to strengthen child protection, also necessitates that judge’s exercise caution to safeguard the rights of both the victim and the accused. Thus,

navigating medical, forensic, and digital evidence in conjunction with the principles of presumption and reverse burden calls for a nuanced and sensitive judicial approach, ensuring that the quest for truth does not compromise fairness or due process.

This session will equip judges to evaluate evidence in POCSO cases with precision, particularly medical, forensic, and digital evidence. It will emphasize the chain of custody, appreciation of expert reports, and statutory presumptions. Judges will also reflect on balancing the presumption of innocence with legislative mandates designed to protect child victims. It will unpack the delicate balance between child protection laws and constitutional rights. Judges will discuss the scope and application of reverse burden clauses, their practical implications in trial, and strategies to ensure that while child victims are safeguarded, the accused's right to fair trial is not compromised.

Theme II: Age Determination in POCSO Cases – Addressing Challenges and Implementing Uniform Guidelines

Sub-themes:

- *Procedures for age verification*
- *Complexities in age determination*
- *Advanced medical technology, precedents & global practices*
- *Burden & reverse burden of proof*
- *Standard of proof & culpable mental state*
- *Reverse burden of proof - prosecution's role*
- *Balancing the trial with rights of the accused*

Objective: The determination of age in cases under the POCSO Act holds critical significance, as it directly impacts the applicability of the law and the degree of protection afforded to the child victim. However, this process often presents multiple challenges, such as the absence of reliable documentary evidence, inconsistencies in school records, or lack of timely registration of births in certain regions. In such situations, courts are frequently required to rely on medical opinions, including ossification tests, which may not always provide precise results and are subject to a margin of error. These difficulties highlight the need for evolving more robust and uniform practices for age verification. By addressing these challenges with both legal clarity and scientific accuracy, the justice system can ensure that the protective framework of the POCSO Act is implemented effectively and fairly. To provide judges with a nuanced understanding of the legal and scientific challenges in age determination, especially in sensitive cases involving consent, the discussion will cover medical techniques, documentary evidence, and jurisprudential debates, enabling judges to adopt approaches consistent with both fairness and child rights.

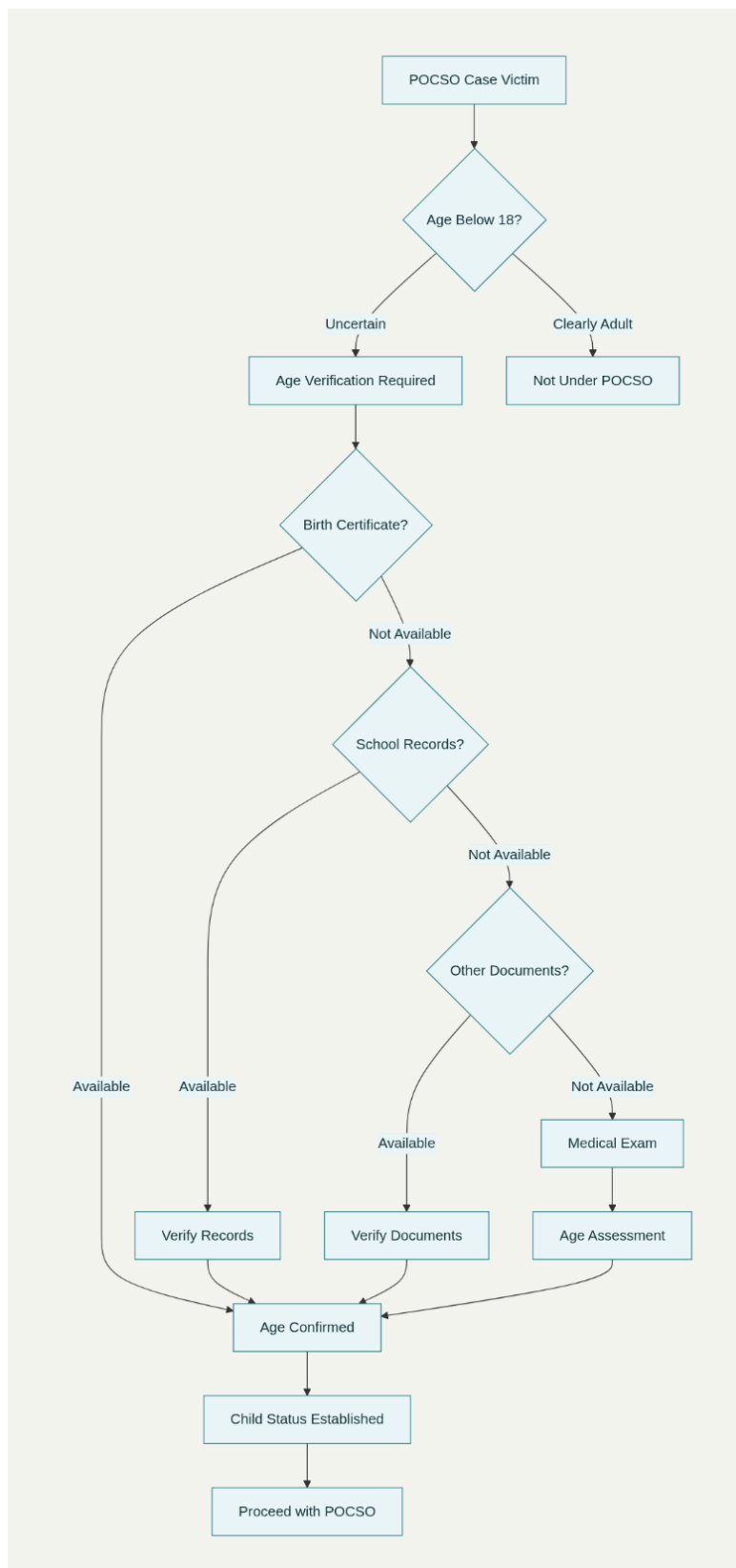


Figure 1 – Determination of Age in POCSO Act

Theme III: Rehabilitation and Compensation of Victims – Ensuring Timely Relief and Preventing Re-traumatization

Sub-themes:

- *Timely action on compensation applications*
- *Criteria for interim & final compensation*
- *Access to support services*
- *Preventing re-victimization & stigmatization*
- *Understanding child psychology*
- *Approach of POCSO court judges*
- *Handling psychosocial pressures*

Objective: Rehabilitation and compensation form an integral part of the victim-centric framework envisioned under the POCSO Act and allied legal provisions. Beyond securing conviction of the offender, the justice system has a duty to ensure that child victims are provided with adequate care, support, and opportunities to rebuild their lives with dignity. Rehabilitation encompasses a range of measures, including psychological counselling, medical assistance, educational support, and social reintegration, all of which are essential to address the trauma suffered by the child. Compensation, whether interim or final, serves as both a recognition of the harm endured and a means to provide financial assistance for medical treatment, education, and long-term rehabilitation needs. Effective implementation requires timely assessment of the child's requirements, coordination among judicial authorities, child welfare committees, and government agencies, and sensitivity to the best interests of the child. Together, rehabilitation and compensation reinforce the principle that justice for child victims must go beyond punishment of the perpetrator to ensuring healing, empowerment, and restoration of a safe and supportive environment. This session will deepen judges' understanding of the psychological impact of abuse, trauma, and court processes on children. By recognizing behavioral changes and emotional responses, judges can develop empathetic courtroom practices that reduce secondary trauma, foster trust, and strengthen the quality of testimony.

The module will focus on restorative justice by exploring frameworks for rehabilitation and compensation of child victims. Participants will analyze compensation mechanisms, judicial guidelines, and the importance of psychosocial and economic support. The session will underscore how judicial interventions can facilitate healing.

Theme IV: Evidence Eliciting under POCSO – Child Friendly Methods & Techniques

Sub-themes:

- *Judicial role in recording testimony*
- *Child-friendly techniques for eliciting evidence*
- *Minimizing secondary victimization*

Objective: Eliciting evidence in POCSO cases requires a careful, sensitive, and child-centric approach that prioritizes the safety and emotional well-being of the victim while ensuring that reliable testimony is obtained. Unlike adult witnesses, children may find it difficult to articulate experiences of abuse due to fear, trauma, or lack of vocabulary. Therefore, judicial officers, prosecutors, and investigators must adopt child-friendly methods that minimize intimidation and avoid re-traumatization. This includes creating a supportive environment, using simple and age-appropriate language, allowing the presence of a trusted guardian or support person, and avoiding repeated or aggressive questioning. Specialized interviewing techniques, such as open-ended questioning, rapport-building, and the use of non-threatening settings, help children share their experiences more comfortably and accurately. The law itself emphasizes the importance of such approaches, mandating that the dignity of the child be preserved throughout the proceedings. By combining legal safeguards with psychologically informed methods, courts can ensure that the process of evidence elicitation is not only effective in establishing the truth but also respectful of the child's rights, dignity, and need for protection. The module will train judges in techniques for eliciting testimony from children in a non-intimidating manner. By adopting child-friendly practices such as open-ended questioning, avoiding legal jargon, and ensuring a supportive courtroom environment, judges can enhance both the reliability of testimony and the dignity of the child.

Theme V: Judicial Efficiency and Case Management – Streamlining Procedures for Speedy Disposal

Sub-themes:

- *Early Case Intervention and Taking Cognizance under POCSO Provisions*
- *Time-bound Trial under Section 35 of the POCSO Act*
- *Control of Adjournments and Enforcement of Court Timelines*
- *Case Prioritization and Scheduling in Fast Track Special Courts (FTSCs)*
- *Use of Technology for Digital Case Management and Remote Hearings*
- *Supervision and Monitoring by High Courts*

Objective: The goal of this theme is to present judicial officers with a blend of legal principles and technological best practices that may be leveraged to promote expeditious disposal of cases in POCSO courts. Judicial officers, working within the statutory framework, may adhere to prescribed trial timelines and judiciously use their discretion to curtail avoidable delays. The theme underscores the utility of digital innovations; from AI-driven case analytics and e-filing to virtual hearings and biometric attendance systems, that can be adopted to streamline judicial workflows and facilitate timely justice delivery. Utilizing

data-driven monitoring and fostering cooperation among judicial and investigative agencies are also highlighted as complementary strategies. Collectively, these approaches aim to strengthen judicial efficiency, reduce case backlog, and uphold the fundamental right to a speedy trial in cases involving vulnerable child victims.

Theme VI: Judicial Sensitization and Ethical Considerations – Promoting Fairness, Confidentiality, and Empathy

Sub-themes:

- *Developing judicial sensitivity & addressing stereotypes*
- *Ensuring privacy & confidentiality*
- *Balancing justice & child welfare*

Objective: In cases arising under the Protection of Children from Sexual Offences (POCSO) Act, the role of the judiciary extends beyond the strict application of law to encompass sensitivity, empathy, and ethical responsibility. Judicial sensitization refers to the process of equipping judges with the awareness and understanding necessary to handle child victims and witnesses with care, ensuring that the courtroom environment does not cause further trauma. Ethical considerations, on the other hand, demand that judicial officers maintain impartiality, confidentiality, dignity, and respect for the rights of the child throughout the proceedings. Together, these aspects underscore the importance of adopting a child-centric approach in adjudication—where every stage of the trial, from recording statements to delivering judgments, is guided not only by legal principles but also by compassion, fairness, and adherence to the highest standards of judicial conduct. It will explore the ethical responsibilities of judges in POCSO trials. Participants will learn how to identify and overcome conscious and unconscious biases, safeguard the privacy of victims, and balance the twin goals of justice delivery and child welfare. The emphasis will be on fostering a judicial approach that instills confidence in victims while ensuring their dignity and rights are respected throughout the legal process.