GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

RAJYA SABHA
UNSTARRED QUESTION NO. 2042
ANSWERED ON 12/12/2024

IMPLEMENTATION OF GRAM NYAYALAYAS SCHEME

2042. DR. MEDHA VISHRAM KULKARNI:

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether the implementation of Gram Nyayalayas Scheme in mission mode has effectively improved access to justice in rural areas;
(b) if so, the details of the metrics used to measure its success and the progress achieved so far;
(c) whether there are specific challenges faced in the operationalization of Gram Nyayalayas across the country;
(d) if so, the steps being taken by Government to address these challenges;
(e) whether Government has allocated sufficient resources for the effective functioning of Gram Nyayalayas; and
(f) if so, the details of the budgetary allocations and their utilization in the last three years?

ANSWER

MINISTER OF STATE (INDEPENDENT CHARGE) OF THE MINISTRY OF LAW AND JUSTICE; AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS

(SHRI ARJUN RAM MEGHWAL)

(a) & (b): The Gram Nyayalayas Act, 2008 provides for the establishment of Gram Nyayalayas at the grass roots level for the purposes of providing access to justice to the citizens at their doorsteps and ensure that opportunities for securing justice are not denied to any citizen by reason of social, economic or other disabilities. In terms of Section 3 (1) of the Gram Nyayalayas Act, 2008, for the purpose of exercising the jurisdiction and powers conferred on a Gram Nyayalaya by this Act, the State Government, after consultation with the High Court, **may,** by notification, establish one or more Gram Nyayalayas for every Panchayat at intermediate level or a group of contiguous Panchayats at intermediate level in a district or where there is no Panchayat at intermediate level in any State, for a group of contiguous Gram Panchayats. The Act therefore, does not make it mandatory for the States to establish Gram Nyayalayas.

Under the Gram Nyayalayas Scheme, the number of Gram Nyayalayas have increased from 152 operational Gram Nyayalayas in 2014 to 313 as on date (rise of 51.43% from 2014). Out of 4,20,129 cases received since the year 2020, 2,96,634 cases have been disposed of till date, thereby reducing the burden of petty civil and criminal cases on the district courts and providing the much needed relief to the rural population in terms of reduced expenses of litigation.

(c) & (d): According to certain studies, the main reasons for slow progress in setting up of Gram Nyayalayas include, non-filling of the post of Nyayadhikaries in many States, non-availability of public prosecutors, notaries and general shortage of first-class judicial magistrates, limited pecuniary jurisdiction of Gram Nyayalayas, insufficient staff, inadequate financial backing from States, reluctance from legal and state authorities and lack of community awareness. Besides, the issue of overlapping jurisdiction with regular courts is another reason for slow take off in respect of Gram Nyayalayas in some States. Moreover, many States have their own parallel systems of village courts functioning at panchayat level.

To set up Gram Nyayalayas in the country, it was decided in the Conference of Chief Justices of High Courts and Chief Ministers of the States on 7th April, 2013 that the State Government and High Courts should take decision on setting up Gram Nyayalayas wherever feasible, taking into account the local issues and situations, as it is a voluntary scheme. The Central Government has been urging the States through meetings to operationalize the already notified Gram Nyayalayas on a regular basis.

(e) & (f): A sum of Rs. 8340.00 lakh has been released to the States since the inception of the Scheme in 2009-10. The details of the budgetary allocation in the last three years is Rs. 800 lakh (2021-22), Rs. 1000 lakh (2022-23) and Rs. 1000 lakh (2023-24). However, release of funds to the States/UTs is contingent upon demand made by them in this regard as it is a reimbursement based scheme.

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