

**GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE**

LOK SABHA

STARRED QUESTION No *424

TO BE ANSWERED ON FRIDAY, THE 1ST APRIL, 2022

Gram Nyayalayas

***424. SHRIMATI APARAJITA SARANGI:**

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

- (a) the total number of Gram Nyayalayas and Nyaya Panchayats in India, State/UT-wise including Odisha;
- (b) whether the Government has specified the types of cases that can be dealt with by them, if so, the details thereof;
- (c) whether the Government has specified any mandatory reservation for women, SCs, STs or OBCs in the constitution of Gram Nyayalayas and Nyaya Panchayats, if so, the details thereof;
- (d) whether the Government has analyzed the success rate of such Gram Nyayalayas and Nyaya Panchayats, if so, the observations made in this regard and if not, reasons therefor; and
- (e) whether the Government has laid down any guidelines for the Gram Nyayalayas and Nyaya Panchayats in delivery of judgments and proposed sanctions if these guidelines are not abided by, if so, the details thereof?

ANSWER

**MINISTER OF LAW AND JUSTICE
(SHRI KIREN RIJJU)**

(a) to (e): A statement is laid on the Table of the House.

STATEMENT REFERRED TO IN REPLY TO PARTS (A) TO (E) OF LOK SABHA STARRED QUESTION NO. 424 FOR ANSWER ON 1ST APRIL, 2022.

(a): To provide access to justice to the citizen at their door steps, the Central Government has enacted the Gram Nyayalayas Act, 2008. It provides for establishment of 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 group Panchayats. The Central Government has no role in setting up of the Gram Nyayalayas. However, it implements a Centrally Sponsored Scheme to fund the initial cost in terms of non-recurring expenses for setting up of Gram Nyayalayas by the States with the assistance limited to Rs. 18.00 lakhs per Gram Nyayalaya as a onetime measure. The scheme also bears 50% of the recurring expenses of these courts subject to a ceiling of Rs. 3.20 lakhs per court per annum during the first three years of their operationalization. The State Governments are responsible for establishing Gram Nyayalayas in consultation with the respective High Courts. However, the Act does not make setting up of Gram Nyayalayas mandatory. Nyaya Panchayats are solely the responsibility of the State Governments and the Department is not running any scheme pertaining to Nyaya Panchayats.

As per information made available by State Governments / High Courts, 476 Gram Nyayalayas have been notified so far by 15 States including Odisha. Out of

these 258 are operational in 10 States, at present. State-wise details of the Gram Nyayalayas notified, operationalised by the State Governments and status of fund released by this Department, including for the State of Odisha, is as under:

Sl. No.	State/UTs	Gram Nyayalayas Notified	Gram Nyayalayas Functional	Fund released (Amount in Rs.lakh)
1	Madhya Pradesh	89	89	2456.40
2	Rajasthan	45	45	1240.98
3	Kerala	30	30	828.00
4	Maharashtra	36	23	660.80
5	Odisha	23	19	444.40
6	Uttar Pradesh	113	45	1323.20
7	Karnataka	2	2	25.20
8	Haryana	2	2	25.20
9	Punjab	9	2	25.20
10	Jharkhand	6	1	75.60
11	Goa	2	0	25.20
12	Andhra Pradesh	42	0	436.82
13	Telangana	55	0	693.00
14	Jammu & Kashmir	20	0	0.00
15	Ladakh	2	0	0.00
Total		476	258	8260.00

(b): In terms of the provisions contained in the Gram Nyayalayas Act, 2008, Gram Nyayalayas shall be deemed to be a court of Judicial Magistrate of the First Class and exercise both civil and criminal jurisdiction to the extent provided in the Schedules to the said Act. Central Government and State Government have the power to add or omit any item in such Schedules.

Section 3(3) of the Gram Nyayalayas Act, 2008 provides that Gram Nyayalayas shall be in addition to the ordinary courts established under any other law for the time being in force. For every Gram Nyayalaya, the State Government shall in consultation with the High Court appoint a Nyayadhikari in terms of Section 5 of the above Act. The provisions of appeals from any judgment, sentence or order of a Gram Nyayalaya in criminal cases and civil cases is laid down in Sections 33 and 34 of the said Act.

(c): Appointment of Nyayadhikari in Gram Nyayalayas falls within the domain of the State Governments in consultation with the concerned High Court. Section 6(2) of the Gram Nyayalayas Act, 2008 however provides that while appointing a Nyayadhikari, representation is to be given to the members of the Scheduled Castes, the Scheduled Tribes, women and such other classes or communities as may be specified by notification, by the State Government from time to time.

(d): As per data uploaded by the High Courts on the Gram Nyayalaya portal set up by the Department of Justice, 43,914 cases have been disposed of during the period December, 2020 to February, 2022 (15 months) in these 258 Gram Nyayalayas, which on an average works out to around 136 cases per court per year.

The Gram Nyayalayas scheme has been evaluated from time to time. Following the recommendation of third party evaluation of Gram Nyayalaya Scheme, conducted by NITI Aayog during 2019-2021, the Government has extended the CSS for financial assistance to Gram Nyayalaya for a further period of five years from

01.04.2021 to 31.03.2026, with a budgetary outlay of Rs.50 crores. Revised guidelines of the scheme have also been issued accordingly on 19.08.2021.

(e): This Department has not laid down any directives relating to delivery of judgments in these guidelines as disposal of cases pending in various courts falls within the domain of judiciary. However, Chapters IV, V and VI of the Gram Nyayalayas Act, 2008 (Sections 18-32) lay down the procedure to be followed in criminal, civil and general cases respectively including the pronouncement and delivery of judgement.
