

GOVERNMENT OF INDIA
MINISTRY OF LAW AND JUSTICE
DEPARTMENT OF JUSTICE

LOK SABHA

UNSTARRED QUESTION NO. 3026

TO BE ANSWERED ON FRIDAY, THE 13TH DECEMBER, 2024

Infrastructure for Gram Nyayalayas

3026. SHRI SAUMITRA KHAN:

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

- (a) whether the Government proposes to settle the cases related to delay in payment of wages to Anganwadi workers at Panchayat level under MNREGA through Gram Nyayalayas and Mobile Courts;
- (b) if so, the total number of Gram Nyayalayas functioning across the country, State-wise including West Bengal;
- (c) whether the Gram Nyayalayas are not able to function properly due to lack of basic infrastructure; and
- (d) if so, the total budget allocated and spent for Gram Nyayalayas during 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): No. The Gram Nyayalayas Act, 2008, which came into effect from 02nd October, 2009, aims at providing affordable and quick access to justice to the citizens at their doorsteps. As per Section 3 (5) of the Gram Nyayalayas Act, 2008, the State Governments in consultation with their respective High Courts appoint a Nyayadhikari, an officer of the rank of Judicial Magistrate of the first class for every Gram Nyayalaya, who is supposed to hold mobile courts as and when situation demands. Under the aegis of the Gram Nyayalayas Act, 2008, a plan scheme titled, "Assistance to State Governments for establishing and

operating Gram Nyayalayas” was introduced in 2009 and guidelines were formulated for running the Gram Nyayalayas Scheme. As on date, 15 States have implemented Gram Nyayalayas Scheme by notifying 488 Gram Nyayalayas, out of which 313 are functional in 11 States since the inception of the Scheme. No Gram Nyayalaya has been established in the State of West Bengal. The state-wise details of the Gram Nyayalayas notified and operational are as under:

Sl. No.	Name of the State	No. of Gram Nyayalaya Notified	No. of Gram Nyayalaya Functional
1	Madhya Pradesh	89	89
2	Rajasthan	45	45
3	Kerala	30	30
4	Maharashtra	39	26
5	Odisha	31	21
6	Uttar Pradesh	113	93
7	Karnataka	2	2
8	Haryana	3	2
9	Punjab	9	2
10	Jharkhand	6	1
11	Goa	2	2
12	Andhra Pradesh	42	0
13	Telangana	55	0
14	Jammu & Kashmir	20	0
15	Ladakh	2	0
Total		488	313

As far as settling of disputes relating to delay in payment of wages under Mahatma Gandhi National Rural Employment Guarantee Act (MGNREGA), 2005, is concerned, the extant guidelines of the MGNREGA Act, via Section 30, Schedule 1, mandate the States to appoint an Ombudsperson for each District for receiving grievances, enquiring into and passing awards as per guidelines issued from time to time. There are provisions for receiving complaints via electronic (Ombudsperson App) as well as physical mode.

(c) & (d): Infrastructure is not the only issue that is hindering the performance of the Gram Nyayalayas. Studies have brought to light other factors, such as, 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. The Gram Nyayalayas Act, 2008, does not make establishment of Gram Nyayalayas mandatory for the State Governments.

A sum of Rs. 8340.00 lakh has been released to the States since the inception of the Scheme. In the last three financial years (2021-22, 2022-23 and 2023-24), an amount of Rs. 28 crore was allocated, out of which Rs. 8.80 crore was released.
