

GOVERNMENT OF INDIA
MINISTRY OF LAW & JUSTICE
DEPARTMENT OF JUSTICE

LOK SABHA

UNSTARRED QUESTION NO. 3051

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

Objective of Gram Nyayalayas

3051. DR. KIRSAN NAMDEO:

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

- (a) whether it is a fact that the Government had enacted a Law to set up Gram Nyayalayas (Rural Courts) in the country about 16 years ago to provide affordable justice at door steps and help clearing the huge pendency of cases in trial courts;
- (b) if so, the details thereof;
- (c) the total number of rural courts required and those that have been set up and are functional as on date; and
- (d) the reasons for the slow progress in setting up the rural courts and measures proposed to be taken by the Government to set up more rural courts in the country?

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 Law Commission of India, in its 114th Report, had suggested establishment of Gram Nyayalayas for providing affordable and quick access to justice to the citizens at their doorsteps. The Gram Nyayalayas Act, 2008 came into effect from 02nd October, 2009, which 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 to ensure that opportunities for securing justice are not denied to any citizen by reason of social, economic or other disabilities. The details of the Gram Nyayalayas Act, 2008, are available at https://www.indiacode.nic.in/bitstream/123456789/19258/1/gram_nyayalay_act_2008.pdf.

(c): The budget estimates for 2009-10 provided for a Plan Scheme viz., “Assistance to State Governments for establishing and operating Gram Nyayalayas”. While approving the proposal of the Ministry of Law and Justice for introducing the Gram Nyayalayas Bill in the Parliament, the Union Cabinet decided that the Central Government would meet all the non-recurring expenses related to the setting up of Gram Nyayalayas in the country. It also decided that the Central Government would share the recurring expenses of the Gram Nyayalayas with the States for the first 3 years and thereafter the States would bear the entire recurring expenditure.

As per the extant guidelines, the Central Government provides Rs. 18.00 lakhs per Gram Nyayalaya to meet non-recurring expenditure as a one time measure and bears 50% of the recurring expenses of these courts, subject to a ceiling of Rs. 3.20 lakhs per courts per annum during the first 3 years. So far 488 Gram Nyayalayas have been notified by 15 States, of which 313 Gram Nyayalayas have been made operational in 11 States.

(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 to operationalise the already notified Gram Nyayalayas on a regular basis.
