

Gram Nyayalayas

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About Gram Nyayalayas:

- Gram Nyayalayas, or village courts, are **established under the Gram Nyayalayas Act, 2008**, for speedy and easy access to the justice system in the rural areas of India.
- The Act **extends to the whole of India, except** to the States of **Nagaland, Arunachal Pradesh, and Sikkim and** to the **tribal areas specified in the Sixth Schedule** to the Constitution of India.
- Gram Nyayalayas are aimed at **providing inexpensive justice to people in rural areas** at their doorsteps.
- **Constitution:**
 - The **State governments** have been vested with the **authority of setting up** one or more **nyayalayas, after proper consultation with the respective High Court, in every Panchayat at the intermediate level or group of adjacent Panchayats at the intermediate level** of a district.

- However, the **Act does not make** setting up of **Gram Nyayalayas mandatory**.
 - Section 4 of the Act provides for the **headquarters** of the gram nyayalaya to be **situated in the respective Panchayat or some other place notified by the state government**.
 - **Presiding Officer:** The Gram Nyayalayas are presided over by a **Nyayadhikari (appointed by the State Government** in consultation with the respective High Court), who will have the **same power**, enjoy the same **salary and benefits** as a **Judicial Magistrate of First Class**.
 - **Act as Mobile Court:** The **Nyayadhikari** shall **periodically visit villages** and may hear the parties and dispose of the cases at the place other than its headquarters.
 - **Territorial Jurisdiction:** The **State governments** are also sanctioned to **control and alter the territorial jurisdiction** of the Gram Nyayalayas from time to time, depending upon the requirement or circumstance.
 - The Gram Nyayalayas will **try criminal cases, civil suits, claims, or disputes** which are specified in the First Schedule and the Second Schedule to the Act.
 - They are to **follow summary procedure in a criminal trial**.
 - **Disputes** are to be **settled as far as possible by** bringing about **conciliation** between the parties, and for this purpose, the Gram Nyayalayas will **make use of the conciliators** to be appointed for this purpose.
 - The Gram Nyayalaya shall **not be bound by the rules of evidence** provided in the **Bharatiya Sakshya Adhiniyam, 2023**, but shall be **guided by the principles of natural justice**, subject to any rule made by the High Court.
 - **Appeals:**
 - **Criminal matters:** An appeal against the decision of the Nyayalaya in a criminal matter can be **filed in the Sessions Court of that jurisdiction**.
 - **Civil matters:** an appeal against any verdict of the gram Nyayalaya concerning a civil matter can be filed in a **District Court of the concerned jurisdiction**.
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Q1: What is meant by summary procedure in a criminal trial?

Summary Trials are mentioned in Chapter XXI of the Code of Criminal Procedure, 1973. In this trial, the cases are disposed of speedily as the procedure is simplified and the recording of such cases are done summarily. In this type of trial, only the offenses which fall into the small/petty category are tried. Complex cases are reserved for warrant or summons trials. To determine whether a case should be tried summarily, the facts stated in the complaint form the primary basis. The objective of summary trials is the expeditious disposal of cases to lessen the burden on the judiciary.

Source: Establishment of Gram Nyayalayas will improve access to justice: SC

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