

Examrace

Competitive Exams: Gram Nyayalayas Act, 2008

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The Parliament passed the Gram Nyayalaya Bill, 2008, establishing gram nyayalayas as the lowest tier of the judiciary for rural areas. The move will act as a major thrust in dispensing inexpensive and speedy justice to people in rural India. It will provide justice to people in rural areas on their doorstep. The Bill provides for first class judicial magistrates dispensing justice. Nyaya Adhikaris? will be drawing the same salary, deriving the same powers as the first class magistrates working under the High Courts.

The Act has to ensure that opportunities for securing justice are not denied to any citizen by reason of social, economic or other disabilities. It extends to the whole of India except the State of Jammu and Kashmir, the State of Nagaland, the State of Arunachal Pradesh, and the State of Sikkim and to the tribal areas.

For The Gram Nyayalayas, total capital expenditure would be met by the Centre. These courts will sit at the district headquarters and in taluks. They will go in a bus or jeep to the village, work there and dispose of the cases. The cost of litigation would be borne by the state. The recurring expenditure shall be met by the State governments. Tribal areas had not been covered and a mobile court would be set up at the block level.

1. State Government, after consultation with the High Court, may, by notification, establish one or more Gram Nyayalayas for every Panchayat at intermediate level in a district. The headquarters of every Gram Nyayalaya shall be located at the headquarters of the intermediate Panchayat.
2. The State Government shall, in consultation with the High Court, appoint a Nyayadhikari for every Gram Nyayalaya.
3. Nyayadhikari to hold mobile courts: The Nyayadhikari shall periodically visit the villages falling under his jurisdiction and conduct trial or proceedings at any place which he considers is in close proximity to the place where the parties ordinarily. The State Government shall extend all facilities to the Gram Nyayalaya including the provision of vehicles for holding mobile court by the Nyayadhikari.
4. Gram Nyayalaya shall exercise both civil and criminal jurisdiction in the manner and to the extent provided under this Act.
5. The judgment in every trial shall be pronounced by the Nyayadhikari in open court immediately after termination of trial.
6. An appeal shall lie from any judgment of a Gram Nyayalaya to the Court of Session.

7. The proceedings before the Gram Nyayalaya and its judgment shall, as far as practicable, be in one of official languages of the State other than the English language.
8. The High Court may make rules for carrying out the provisions of this Act.

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