



**FACULTY OF JURIDICAL SCIENCES**

**COURSE: LLM TWO YEARS Constitutional & Administrative Group /Criminal group/ corporate & business group**

**Semester-II**

**SUBJECT: Law and social transformation in India**

**SUBJECT CODE: LLM-221**

**NAME OF FACULTY: DR. SHIV KUMAR TRIPATHI**

# Lecture-29



## **Salient Features Gram Nyayalaya Act, 2008**

Gram Nyayalayas are aimed at providing inexpensive justice to people in rural areas at their doorsteps.

The Gram Nyayalayas shall be court of Judicial Magistrate of the first class and its presiding officer (Nyayadhikari) shall be appointed by the State Government in consultation with the High Court.

The Gram Nyayalayas shall be established 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 Panchayats.

The Nyayadhikaris who will preside over these Gram Nyayalayas are strictly judicial officers and will be drawing the same salary, deriving the same powers as First Class Magistrates working under High Courts.

The Gram Nyayalaya shall be a "Mobile Court" and shall exercise the powers of both Criminal and Civil Courts.

The seat of the Gram Nyayalaya will be located at the headquarters of the intermediate Panchayat, they will go to villages, work there and dispose of the cases.

The Gram Nyayalaya shall try criminal cases, civil suits, claims or disputes which are specified in the First Schedule and the Second Schedule to the Act.

The Central Government as well as the State Governments have been given power to amend the First Schedule and the Second Schedule of the Act, as per their respective legislative competence.

The Gram Nyayalaya shall follow summary procedure in criminal trial.

The Gram Nyayalaya shall exercise the powers of a Civil Court with certain modifications and shall follow the special procedure as provided in the Act.

The Gram Nyayalaya shall try to settle the disputes as far as possible

by bringing about conciliation between the parties and for this purpose, it shall make use of the conciliators to be appointed for this purpose.

The judgment and order passed by the Gram Nyayalaya shall be deemed to be a decree and to avoid delay in its execution, the Gram Nyayalaya shall follow summary procedure for its execution.

The Gram Nyayalaya shall not be bound by the rules of evidence provided in the Indian Evidence Act, 1872 but shall be guided by the principles of natural justice and subject to any rule made by the High Court.

Appeal in criminal cases shall lie to the Court of Session, which shall be heard and disposed of within a period of six months from the date of filing of such appeal.

Appeal in civil cases shall lie to the District Court, which shall be heard and disposed of within a period of six months from the date of filing of the appeal.

A person accused of an offence may file an application for plea bargaining.