

ITEM NO.9

COURT NO.3

SECTION PIL-W

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

Writ Petition(s)(Civil) No(s). 1067/2019

**NATIONAL FEDERATION OF SOCIETIES
 FOR FAST JUSTICE & ANR.**

Petitioner(s)

VERSUS

UNION OF INDIA & ORS.

Respondent(s)

(IA No. 42346/2020 - APPLICATION FOR WAIVER OF ADDITIONAL COSTS,
 IA No. 27884/2023 - EXEMPTION FROM FILING O.T., IA No. 23726/2023
 - EXEMPTION FROM FILING O.T., IA No. 20754/2020 - EXEMPTION FROM
 FILING O.T., IA No. 7966/2020 - EXEMPTION FROM FILING O.T., IA
 No. 203793/2024 - EXEMPTION FROM FILING O.T., IA No. 168393/2019 -
 INTERVENTION/IMPLEADMENT, IA No. 226445/2023 -
 INTERVENTION/IMPLEADMENT, IA No. 158887/2019 - PERMISSION TO FILE
 ADDITIONAL DOCUMENTS/FACTS/ANNEXURES)

Date : 16-10-2024 These matters were called on for hearing today.

CORAM :

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 HON'BLE MR. JUSTICE PRASHANT KUMAR MISHRA
 HON'BLE MR. JUSTICE K.V. VISWANATHAN

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UPON hearing the counsel the Court made the following
O R D E R

1. In pursuance to the order passed by this Court on 11.09.2024, the State Governments/Union Territories and the High Courts have filed their respective affidavits.
2. Mr. Nidhesh Gupta, learned Amicus Curiae has prepared a chart pointing out the position with regard to each of the States. The chart contains the names of the States which have established or have agreed to establish the Gram Nyayalayas, and further specifies therein the number of Gram Nyayalayas established, their disposal rate, etc. It also contains a list of the States wherein which have taken a stand that it is not necessary to establish Gram Nyayalayas as also States that have claimed an exemption under Section 1(2) of the Gram Nyayalayas Act, 2009.
3. Learned Amicus Curiae has suggested that if an information is called for from the State Governments in the format prepared by him, he will assist the Court in passing appropriate orders.
4. We, therefore, direct the State Governments to provide information in the format as follows:

"Name of the State:

- I. Decision of the State Government indicating option chosen under Section 3(1)
- II. Number of Gram Nyayalayas to be established in the concerned State in view of I above
- III. Number of Gram Nyayalayas that have been notified
- IV. Number of Gram Nyayalayas that have been established
- V. Infrastructure: (To be furnished for every Gram Nyayalaya as per I above)
 1. Court Complex
 - i. Whether adequate for Nyayadhikari and support staff?
 - ii. If not, steps being taken to remedy the deficit
 - iii. Whether any proposal is pending with the Government for construction/providing infrastructure for remaining Gram Nyayalayas or for improvement of infrastructure for any existing/proposed court complex and current status with regards thereto?
 2. Residential Facilities
 - i. Whether residential facilities are sufficient for each Nyayadhikari?
 - ii. If not, steps being taken to remedy the deficit
 - iii. Whether any proposal is pending for construction/improvement of proposed/existing residence of Nyayadhikaris and current status with regards thereto?
- VI. Budgetary allocation

Estimated expenditure towards facilities to be provided concerning infrastructure in heading (V) above
- VII. Support staff: (Data to be furnished for every Gram Nyayalaya as per I above)

1. Support staff required with each Nyayadhikari
 2. Support staff available with each Nyayadhikari
 3. Plan of action for providing the remaining support staff
- VIII. Whether there is provision of vehicles and other facilities required for the Nyayadhikari to hold mobile court?
- IX. Whether the High Court has made Rules as provided under Section 39 of the Act?
- X. Whether the State Government has made Rules as provided under Section 40 of the Act?"

5. Needless to state that the said information will be given by the States after consulting the Registrar Generals of the High Courts within a period of six weeks from today. A copy will also be sent to the learned Amicus Curiae.

6. Learned Amicus Curiae is requested to prepare a chart giving specifications of the responses of the State Governments.

7. The question as to whether it is mandatory for the State Governments to establish Gram Nyayalayas or if it is optional will be considered separately.

8. However, insofar as the State Governments which have agreed to establish Gram Nyayalayas, we will examine as to whether the State Governments have acted in a positive manner in order to achieve the object of the enactment of providing

speedy, affordable and efficient justice to the citizens living in the remote areas.

9. List this matter on 18.12.2024.

10. In the meantime, we also direct the Union of India to file a fresh affidavit specifying the compliance with regard to the directions issued by this Court in order dated 29.01.2020. The said affidavit shall also contain the State-wise disbursement of the funds made to the State Governments.

(DEEPAK SINGH)
ASTT. REGISTRAR-cum-PS

(ANJU KAPOOR)
COURT MASTER (NSH)