

## Gram Kachahari: Alternative Dispute Resolution at Village Level

### Introduction

India is gripped with the problem of case pendency in lower courts. As on December 2020, more than 3.65 crore cases reported as pending in district and subordinate courts. Additionally, the vacancies of judges is a challenge. In most of the cases, district court is the primary point of contact for legal dispute resolution. But there are limited avenues for dispute resolution below district level. To address this issue, state of Bihar, through the Bihar Panchayati Raj Act, 1993, provided for setting-up of *Gram Kachahari* for resolution of village disputes. A *Gram Kachahari* is a body within *gram panchayat* to adjudicate on local issues and provide legal redressal.

### Intervention

The *Gram Kachahari* (an institution for local legal redressal) of the *panchayat* is housed in the Panchayat Sarkar Bhawan. The *Kachahari* in every *panchayat* comprises of a *sarpanch*, a *panch* from every ward under the *panchayat* and an *up-sarpanch*. These village courts generally deal with minor offenses like abuse, theft, physical assault, drainage disputes, recovery of rent, damage to movable property, etc. The bench tries to come to amicable settlement for any suit that is filed. Only in cases there is no possibility of amicable settlement, the bench examines the dispute and gives its decision.

Upon conviction, the bench can declare legitimate punishment under Section 107 of the Bihar Panchayati Raj Act. However, the bench of *Gram Kachahari* cannot pass sentence of simple or rigorous imprisonment. The financial punishment is also limited to a fine not exceeding Rs. 1,000.

### Impact

The *Gram Kachahari* is the court of the first resort. In most cases, *Gram Kachahari* is able to drive a compromise. In cases where fines are levied, the money collected is used for relief work.

In a bid to make these village courts more transparent, the Panchayati Raj Department has also roped in Chanakya National Law to create a panel of at least 100 master trainers for imparting training to *sarpanchs*, *up-sarpanchs*, *panchs*, *kachahari sachivs*, *nyay mitras* and others.

The police department has been given necessary instructions from the police headquarters to support the village officials.