

Strengthening work Culture of Gram Nyayalayas Through Implementing the Concept of Integral Humanism in India

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Abstract - A flawless human being in an ideal global society is the idealized subject of integral humanism. It's about a human who is whole in every way—spiritual, imaginative, and rational—and the three global networks he constructed to ensure his own survival in harmony with the greater whole of existence. Millions of individuals in India are eagerly awaiting their day in court, therefore the advent of "Gram Nyayalaya" represents a significant social upheaval. The Preamble to the Gram Nyayalaya Act describes a society where people have ready access to justice, and it guarantees that no one will be denied justice because of a disability. This article is to study about Gram Nyayalayas concept and integral humanism in India. In conclusion, holistic humanism is based on an organic line of thinking that creates a morally cohesive Indian country Access to Justice and the Performance of India's Gram Nyayalayas Poor people in India may get swift justice via Gram Nyayalayas.

Keywords - Integral Humanism, India, Gram Nyayalaya, Court, Act

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INTRODUCTION

The Indian judicial system, including the country's antiquated legal framework and its outdated courthouses, has grown rusty. As the context and circumstances of development change, so too must the methods and tools used in this sector, particularly at the ground level. Due to their central role in Indian law, villages are a good barometer of the country's overall level of development. If the country's legal system is not working well, the country's progress will suffer. The Indian Constitution is the highest legal authority, superseding the country's Supreme Court, High Court, District Court, magistrates of the second class, and civil judges of the junior division. Other tribunals and independent courts, such as tax courts, consumer courts, family courts, Lok Adalat's, etc., were also set up in addition to these. All courts exist to assist bring about justice via the application of law. The law serves as a tool for social transformation as well as a weapon against undesirable behavior. The Indian government has established Fast Track Courts and adopted a national litigation strategy in an effort to decrease the backlog of cases waiting to be heard. The Ministry of Law and Justice in India has created the concept of the Fast Track Court and the National Litigation Policy to encourage government agencies to exercise more restraint when initiating lawsuits. The government is committed to providing those in need with access to free legal representation. As of this writing, both Pre-Litigation Aid and the provision of

attorneys at no cost to those who have been wronged by the government known as "Legal Aid" are covered. As a political platform, Deendayal Upadhyaya's "integral humanism" was officially embraced in 1965 as the dogma of the Jan Sangh and eventually the BJP. The philosophy may also be understood in the context of "Universal Brotherhood," an idea with roots in both theosophism and Freemasonry. To elevate cultural-national ideals, Upadhyaya selectively adapted Gandhian ideas like Sarvodaya (universal development), swadeshi (domestic), and Gram Swaraj (rural self-rule). These principles rested on the idea that everyone should be completely subservient to the nation-state.

To ensure that no citizen is deprived of the opportunity to secure justice because of their social, economic, or other circumstances, the Gram Nyayalayas Act, 2008 was enacted to provide for the establishment of Gram Nyayalayas at the grassroots level. As far as possible, the procedures before the Gram Nyayalaya and its ruling should be conducted in a language other than English. The Indian Evidence Act of 1872 does not apply to the Gram Nyayalaya, but it must nevertheless follow the laws of natural justice and follow any regulations established by the High Court.

LITERATURE REVIEW

Subramanian, C. (2018) Nature demands constant evolution. The only constant is the constant state of change. Since its origin, human civilization has seen vast and gigantic growth and counter developments by astonishing innovations and creative discoveries, all because to the efforts of anonymous individuals who cared deeply about the welfare of their fellow humans. Ideas may do more damage than physical force. Up until now, the blossoming ideals of the past have allowed humans to live in relative ease and luxury. Capitalism, Communism, Fascism, and Liberalism are just few of the ideas and ideologies that have ushered in significant improvement in the quality of human existence. But ideologies like Nazism and Fascism had a tumultuous effect on human society, resulting in unimaginable misery.

Verma, Rajesh & Srivastava, Vijay (2022) Under his theory of "Integral Humanism," which he developed, Pandit Deen Dayal Upadhyaya envisioned a novel economic system. He had a dim view of modern economic thought because it excluded humanistic characteristics, which he believed were essential. Similarly, Gandhi did not support hedonistic pursuits but instead advocated a humane economic system. It would seem that in today's world of unbridled materialism, market-driven wants, and internationalization, individuals are on a path to a destructive way of life. Even at the international level, economic factors, not concern for people, drive the policies of most states. This has to be monitored, especially because pandemic circumstances have taught us to make humane changes to our way of life. Both Pt. Deen Dayal Upadhyaya and Mahatma Gandhi have economic ideas that may help people adopt more sustainable lifestyles and live more fulfilling lives in the current day. To this end, this study employs the same theoretical lens that has been used to make sense of Gandhi's economic theory in order to stress the importance of Pandit ji's vision for the Indian economy.

Thilagaraj, Richard (2017) Justice in Indian villages has been administered by local assemblies, or panchayats, since ancient times. Nyaya Panchayat, a form of traditional Indian conflict settlement, has a long and storied history in the country. This chapter provides an overview of the methods used in ancient India to settle legal disputes and how those methods were codified in the Nyaya Panchayat Act. It then proceeds to describe the specifics of Nyaya Panchayat as it exists in modern Indian culture, including its makeup and its constitutional roles. The Nyaya Panchayat system is crucial and should be seen as an integral part of the Indian criminal justice system, with the Act serving as a means of emancipation for the rural people.

Krejčík, Jiří (2019) This article looks at the conservative and traditionalist approaches to environmental issues in India, particularly as expressed by M. K. Gandhi and Deendayal Upadhyay. The latter's notion of holistic humanism is examined in depth because of its recent prominence in Indian public debate. Gandhi's spiritual radicalism and

Deendayal's integral humanism are contextualized within the larger trend of Indian nationalist and ecological thought, demonstrating the potential confluence of ecology and social conservatism, and their respective intellectual foundations are explored. By examining the repercussions of authoritarian and non-egalitarian tendencies, the author demonstrates how Hindu nationalist ideology may co-opt Indian ecological groups that are rooted in Brahminical heritage and Gandhian thought.

Chakraborty, Namrata (2021) While the Indian Constitution guarantees access to justice in every part of the country, the reality of rural justice administration belies this promise. Nyaya Panchayat, based on the Panchayat idea of participatory grass-roots justice, was well-known in India during the early years of independence. The effectiveness of this kind of indigenous justice, which dates back to the 1970s and 1980s, has declined over time. Parliament passed the Gram Nyayalayas Act, 2008, after multiple failed efforts to revive this philosophy, with the goal of re-establishing the traditional type of conflict settlement system. However, a look back at the current Gram Nyayalaya System reveals that, aside from a radical break with the previous Panchayat ideology, not much has changed in the portrait of justice delivery across rural India in the 11 years since its enactment. Therefore, this paper tries to compare events before and after independence by investigating the current state of the rural justice system via the lens of the function of Nyaya Panchayats. The paper also provides a critical study of modern Gram Nyayalayas after the 2008 legislation, focusing on their viability in comparison to the Panchayat philosophy. As a result of their research, the writers have provided useful recommendations in this area.

GRAM NYAYALAYAS FEATURES

Indian villagers living in remote places may quickly and easily access the judicial system thanks to Gram Nyayalayas, or village courts. Article 39-A of the Indian Constitution mandates the provision of free legal counsel to the poor and other vulnerable members of society. The state government, in consultation with the High Court, will choose the presiding officer (Nyayadhikari) of the Gram Nyayalayas, which will serve as the first-class judicial magistrate court. There will be a Gram Nyayalaya in every panchayat and intermediate school. The Gram Nyayalaya is a mobile court with the authority to hear both civil and criminal cases. The Gram Nyayalayas' office will be located in the intermediate panchayat's central building; nevertheless, they will often visit the villages where they undertake their actual job. The Gram Nyayalaya is the local court that hears both criminal and civil cases. With rare exceptions, the Gram Nyayalaya shall follow the same process laid down in the act while exercising its civil court power.

The Gram Nyayalaya shall attempt to resolve the issues as much as possible by bringing the parties to conciliation using the conciliation that will be allocated for this purpose. The Gram Nyayalaya shall be constrained by any regulations set by the High court and would operate under the principles of natural justice. In criminal matters, an appeal must be lodged with the Court of Session and heard and resolved within six months. Appeals in civil matters must be filed with the District Court and heard no later than six months after the appeal was filed. A plea bargain is an option for anybody facing criminal charges.

Indian Justice System Access and Gram Nyayalaya Performance

There are 6,38,000 villages in rural India, where 72.2% of the country's population resides, according to the 2011 Census. There are several obstacles for people living in rural areas who need to use the legal system, either as witnesses or participants, to resolve a dispute. They have to take time away from their regular work to travel considerable distances in order to appear in court. Once they go to court, however, they face additional obstacles that prevent them from obtaining real justice, such as the high expense of litigation, the intricacies involved in the court processes, the lengthy wait in ending the lawsuit, the lack of efficient and relevant legal assistance, etc.

These obstacles mean that people living in rural areas often only go to the Judicial First-Class Magistrate Courts or the Munsif Courts for justice. Even fewer people choose to embark on a second appeal after a failed first one. There aren't very many cases that make it all the way to the Supreme Court. Some of them also use methods like Khap Panchayat, whose methods of conflict resolution aren't necessarily lawful.

This demonstrates the urgent need to improve the delivery of justice at the lower court level. If the parties are to get excellent justice at this stage of the proceedings, the trial and hearing procedures must be given more focus. The Indian Supreme Court has also stressed the importance of this matter. A person of modest means has been regularly ruled to have the right of access to courts for redress of complaints, as per the constitutional promise. A number of government programs are in place to ensure that constitutional protections for 'fair justice' and 'free legal assistance' are upheld. The legal system is bolstered in a number of ways. Simplified procedural legislation, incorporation of ADR procedures like arbitration, conciliation, and mediation, and the establishment of Lok Adalats and fast track courts are all examples of this trend. Unfortunately, these efforts have not been very fruitful in reducing the backlog of cases in our courts and providing people with an effective chance to obtain justice. Justice VR Krishna Iyer may be a good choice to cite here. For him, it was imperative that "the infrastructure of the judicature must be functionally feasible in such manner that the last

villager or the least proletariat may seek remedies against injustice from an independent curial organ." In a similar vein, in Bihar Legal Support Society v. Chief Justice of India, the Supreme Court ruled:

Because of their low socioeconomic status, lack of education, and lack of access to the legal system, the poor and the illiterate in India have been denied justice for decades. They do not understand the protections and advantages afforded to them by the law and the Constitution. Because of their socioeconomic disadvantage, they are unable to advocate for themselves and do not have the means to protect their rights, leaving them vulnerable to exploitation and injustice.

Has the Gram Nyayalaya program been successful?

The Indian Law Institute (ILI), New Delhi, was tasked with researching the efficiency of the Gram Nyayalayas in the Indian states of Rajasthan and Madhya Pradesh (MP) by the Department of Justice, Ministry of Law & Justice, Government of India. The problem of state officials being reluctant to invoke the authority of Gram Nyayalayas, as well as the problem of inadequate facilities and staff, were also underlined in the ILI Report. Access to this research by Common Cause reveals serious flaws in the implementation of the Act in these so-called "trophy states." This section contains a summary of the Report: The primary goals of Gram Nyayalayas were to provide justice to the people of rural areas, to reduce case backlogs in traditional courts, to apply alternative conflict resolution methods like mediation and plea bargaining, and so on. When seen through the lens of these goals, Gram Nyayalayas in these two states have mostly failed. There are several possible explanations for this. Part-time (once or twice weekly) Gram Nyayalayas have been set up; however, they are not in addition to the regular courts. Due to a lack of a dedicated staff of Gram Nyayadhikari, the administrative duties of the Gram Nyayalayas are usually delegated to already overworked Judicial Magistrates, Civil Judges, and even Chief Judicial Magistrates. In addition, Gram Nyayalayas should be set up as often as possible in locations where they would be most useful to the people in accordance with the spirit of the Act. Some Gram Nyayalayas, however, are located in larger towns and cities alongside normal courts with overlapping authority.

Speedy Justice for the Poorest by Gram Nyayalayas

Gram Nyayalayas is a cornerstone of any civilized society. According to Article 39A of the Indian Constitution, everyone must be afforded the same legal protections and opportunities. Different administrations have made efforts to bolster the legal system throughout their time in office. Consequently,

the legal system has adopted alternative conflict resolution processes including arbitration, conciliation, and mediation, and has streamlined procedural regulations and established lokadalats and quick truck courts. However, many people, especially those living in rural areas or who are economically poor, remain beyond the purview of legal systems despite these efforts. The Gram Nyayalaya Act was passed in 2008 to provide access to justice in rural and outlying parts of the nation. The purpose of the Act is to ensure that all individuals have access to swift, inexpensive, and meaningful justice, especially those who are excluded from the traditional system. Regular civil and criminal courts aren't the only ones the Act established; it also established the lowest level of subordinate judiciary. One of the goals was to increase the number of judges relative to the Indian population in order to decrease court backlogs. In this piece, we'll attempt to decipher the Act, its main characteristics and clauses, some of which were previously suggested by the Law Commission (114th Report, 1986), and provide solutions to the gaps in the Gram Nyayalaya system. The Indian Law Institute did a study on the efficiency of Gram Nyayalayas in Madhya Pradesh and Rajasthan, but for some reason it was never released to the public. In order to shed further light on the matter, Common Cause obtained a copy of the study under the Right to Information (RTI) Act. Unnamed government officials also provided us with disturbing details about the states' lack of commitment to ensuring that justice is available to everyone.

DEEN DAYAL UPADHYAYA'S INTEGRAL HUMANISM AND ITS CONTEMPORARY RELEVANCE

Upadhyaya, a brilliant scholar, devoted himself to the ideals of "integral humanism" and its promotion. Many may be vaguely familiar with it, while others may have only seen it via a political lens, since it serves as the official philosophy for the Bhartiya Janata Party (BJP), the political party that succeeded the Jan Sangh. But the philosophy's core ideas are far more profound. Even while its roots might be linked to the ageless traditions of Indian culture and "Bhartiya" awareness, understanding why it is being discussed or why Upadhyaya pushed for it requires looking back at the environment in which it was given its current form. We're talking about just after India won its freedom from British rule. Even if they had achieved political independence, the remainder of Asia and Africa's emerging countries were still fighting to end their intellectual colonialism. There was already a debate going on about the relative merits of Western ideas of socialism and capitalism, humanism and nationalism, and individualism and collectivism. These dualisms have spread into the realm of politics as well. Because of the influence of Nehruvian ideals of socialism, there was an unhealthy fixation with state monopolies, a proliferation of the Licence Raj, appeasement politics that led to a rise in separatist inclinations, and a general sense of inferiority toward everything of "old" or "Bhartiya" provenance. Pandit Deen Dayal Upadhyaya, a prominent member of the Jan Sangh,

articulated a set of philosophical principles known as "Integral Humanism" in the early 1960s. The ancient Indian heritage and cultural ethos have provided the ideological framework for holistic humanism. Integral humanism's philosophical underpinnings were molded by the bedrock principles of Indian civilization and Dharma. Integral humanism, which he promoted, became the official ideology of the Jana Sangh in 1965 and, subsequently, of the Bhartiya Janata Party.

Upadhyaya has effectively dismantled the political and social tenets of both capitalism and communism by highlighting their innate contempt for the humane and improper concentration on the monetary component of human existence. As a result, integral humanists believe that the person, society, cosmos, and the Supreme are all interconnected. Upadhyaya argues that every country is characterized by a defining cultural and social concept he calls Chiti, and that every civilization is distinguished by a set of distinctive features he calls Virat. Each person has a unique set of responsibilities and experience levels. The core principle of integrated humanism is the coordination of these many facets of human existence. In this article, we want to clarify the dispersed ideological features of integral humanism and investigate its current significance from the viewpoint of a search for answers to the political issues facing the world today.

Pandit Deen Dayal Upadhyaya is widely regarded as one of the most pivotal figures in contemporary Indian politics. After Mahatma Gandhi, he is perhaps the only living Indian philosopher to have gleaned all the foundations for his ideas from India's rich history and voluminous body of accumulated wisdom. His unique grasp of both capitalism and communism provided him with a substantial intellectual foundation to reject both ideologies and advocate for an all-encompassing Indian alternative of Integral Humanism. He put out a theory with ancient foundations, with an eye on modern problems and potential solutions. Because of this, the Indian perspective on political thought and the global alternatives he proposes are greatly aided by the articulation of his works. Upadhyaya argues that creating a homegrown economic model that prioritizes the individual should be India's top priority.

The key components of Deen Dayal Upadhyay's integral humanism

Integral humanism, which may be traced back to the non-dualistic philosophy of Advaita Vedanta, advocated for the unity of all sentient beings. It rejected the natural differences between people on the basis of race, color, caste, or religion and instead saw all people as belonging to the same organic whole, with a shared awareness of national thinking. Integral humanism's basic tenets are:

- **Man as the center of development:** According to this ideology, it is crucial for

India to create its own unique economic model with man at its core. Rather than entirely rejecting western concepts, it assesses both capitalism and socialism, finding flaws in each, and being critical of both.

- **Refutes individualism:** Disproves individuality by emphasizing the need of a natural connection between people and communities. The common good requires that people sacrifice some of their own personal objectives in order to achieve the greater good. It stresses the importance of community and family in developing a healthy society.
- **Cultural ethos:** Cultural ethos emphasizes the significance of indigenous traditions within the larger social, economic, and political framework of a country. It argues that any political philosophy or development model selected by India must take into account the essential nature of Indian culture.
- **Integrated view:** An integrated perspective acknowledges diversity while privileging commonalities over variances in outlook on life's many domains. Therefore, it serves the interests of all parties involved.
- **Dharma Rajya:** Each citizen has both rights and responsibilities to the state under Dharma Rajya, the ideal duty-oriented state.
- **Antodaya:** This principle guarantees that decisions are made with the last person in line in mind.

CONCLUSION

According to the preamble of the Gram Nyayalaya Act, residents would have easy access to justice right in their own neighborhoods. Deendayal Upadhyay's guiding ideology, integral humanism, holds that people, not profit or politics, should drive progress. There is a need to fortify the Gram Nyayalaya, which favors or in turn helps to realize the constitutional goals of equal and social justice to their fullest extent and will also be helpful in regaining the trust of the general public in the Indian Judiciary. The purpose of the Gram Nyayalaya Act was to bring low-cost justice to the doorsteps of the people. Fast case settlement is another aim of Gram Nyayalaya, along with the adoption of alternative conflict resolution methods including conciliation and plea bargaining. The goal of the Gram Nyayalaya Act is to bring justice to the doorsteps of all people, with the guarantee that no one would be discriminated against on the basis of handicap in their pursuit of justice. The goal of the Gram Nyayalaya Act is to bring justice to the doorsteps of all people, with the guarantee that no one would be discriminated against on the basis of handicap in their pursuit of justice.

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