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Lok Adalat: A New Dimension of Justice System

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ABSTRACT

Lok-Adalat has emerged as a justice centric forum providing expeditious, economical, and amicable justice through informal procedures where it is not bound by formal procedural and evidence law that circumvent legal technicalities. This examines the historical genesis and developmental history of Lok-Adalat within the Indian legal framework. A comprehensive assessment has been established by data regarding the potential efficacy of Lok-Adalat as an instrument of Alternative Dispute Resolution. The juridical analysis extends to the legal validity of Lok-Adalat awards and the grounds upon which such awards may be subject to judicial review. The comprehensive examination herein provides substantive insights into Lok-Adalat's potential contribution to the existing judicial framework, which is currently encumbered with substantial litigation backlog. The paper articulates the imperative need for adaptations to the Lok-Adalat framework to address the evolving requirements of economically disadvantaged litigants.

I. INTRODUCTION

The administration of justice constitutes the fundamental mandate of the judiciary, functioning as one of the significant organ of state governance. India maintains hierarchy of courts and tribunals arranged in pyramidal formation, wherein the Supreme Court occupies the apex as guardian of fundamental right and protector of Constitution of India. Subordinate to this apex court the tribunal are the equivalent to High Courts of respective states, beneath which operates an extensive network of subordinate judicial forums. The judicial institutions of India have evolved as significant mechanisms for constitutional interpretation and adjudication, thereby ensuring the dispensation of justice to the citizens of India. The constitutional principles of social justice, enshrined within the Constitutional framework of India, particularly within the Directive Principles of State Policy, are directed toward to curve the socio-economic disparities within the societal structure. The judiciary works for its vigilant protection of these principles and the concomitant rights of the citizens. ADR

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mechanism through formal adjudicatory body is increasingly sought when infringements of rights have occurred. This phenomenon has known in what may be characterized as a "litigation explosion" across the judiciary nationally. Civil litigation in the Indian jurisdiction is particularly notorious for its prolonged pendency, exacerbated by procedural mechanisms such as adjournments, revisions, appeals, and cross-appeals. Consequently, litigants have to wait for long durations before obtaining judicial remedies. The conventional adjudicatory forums in India have thus acquired a reputation for procedural delays, rigid adherence to formalistic regulations, and the prohibitive fiscal implications of litigation processes. "The problem of delays and expensive litigation has engaged the attention and consideration of several legal luminaries, those connected with the management of the judicial system of the country and thereby various Committees were appointed. Law Commission of India also in its various reports, have considered this problem in all its facets and have suggested some remedial measures and accordingly, a few procedural amendments were carried out, a piece of substantial law emerged and other improvements in the working of the system have also been introduced. Many tribunals, forums have been created to reduce workload in Courts besides, many mechanisms for amicable settlement of disputes such as negotiation, conciliation, mediation, arbitration, Nyaya-Panchayat and institution like Ombudsman, Lok Adalat have been set up to provide rapid, effective and cheap remedies that can be made available to the people along with Traditional Legal System and to ensure guarantee of equal access to justice. More promising among all is LOK ADALAT!"³

II. CONCEPT OF LOK ADALAT

"Lok Adalat is neither a Bench Court nor a statutory tribunal meant to adjudicate or arbitrate. At the first instance, it is meant to act as conciliator, it appears to be a unique institution meant to take care of disputes as they arise between members of any section of society thus, Lok Adalats are the enterpore Courts created as per the requirement of people of a particular area"⁴. The camps of Lok Adalats are settled as a part of strategy to relieve heavy burden on the courts having pending cases and to give speedy relief to the litigants, who are in queue to get justice"⁵. "Though initially, Lok Adalat camps were started at Junagarh District in Gujrat by 1982, the first Lok Adalat was held in Chennai in 1986. Soon this programme was adopted by several other states, such as Bihar, Haryana, Karnataka, Maharashtra etc. and now gained

³ Vijaykumar Shrikrushna Chowbe, Lok Adalat – A Strategic Forum for Speedy and Equitable Justice, *SSRN*, 3,4, 2011

⁴ Vijaykumar Shrikrushna Chowbe, Priya Subhash Dhanokar, Lok Adalat – A Strategic Forum for Speedy and Equitable Justice *SSRN Electronic Journal* (2011).

⁵ *Ibid.*

popularity throughout the country”⁶. The Legal Services Authorities Act, 1987 implemented in its true spirit has created popularity for and utility of Lok Adalats for speedy resolution of disputes”⁷.

The institution of ‘Lok Adalat’ is regarded as a traditional mode of dispute resolution that has its roots in ancient Indian jurisprudence and judicial system. Its relevance and legal sanctity have not diminished in the contemporary legal framework. The term ‘Lok Adalat’ translates to “People's Court” and embodies the essence of Gandhian philosophy, emphasizing peaceful, non-adversarial resolution of disputes. It constitutes a significant facet of the Alternative Dispute Resolution (ADR) mechanism in India. In light of the excessive pendency and backlog of cases in the conventional judicial system where proceedings are often protracted, costly, and procedurally complex the ‘Lok Adalat’ offers an expeditious, economical, and informal forum for amicable settlement of disputes, including those of a minor nature that would otherwise languish for years in regular courts. “Lok Adalat, therefore provides alternative resolution or devise for expeditious and inexpensive justice”⁸.

Under section 19⁹ of Legal Service Authority Act 1987 establishes the Lok Adalat as “Every State Authority or District Authority or the Supreme Court Legal Services Committee or every High Court Legal Services Committee or, as the case may be, Taluk Legal Services Committee may organize Lok Adalats at such intervals and places and for exercising such jurisdiction and for such areas as it thinks fit”, which consist of such number of “(a) serving or retired judicial officers; and (b) other persons, of the area as may be specified by the State Authority or the District Authority or the Supreme Court Legal Services Committee or the High Court Legal Services Committee, or as the case may be, the Taluk Legal Services Committee, organising such Lok Adalat”, where “The experience and qualifications of other persons referred to in clause (b) of sub-section (2) for Lok Adalats organised by the Supreme Court Legal Services Committee shall be such as may be prescribed by the Central Government in consultation with the Chief Justice of India” and “The experience and qualifications of other persons referred to in clause (b) of sub-section (2) for Lok Adalats other than referred to in sub-section (3) shall be such as may be prescribed by the State Government in consultation with the Chief Justice of the High Court” where jurisdiction is to determine and to arrive at a compromise or settlement between the parties to a dispute in

⁶ *Supra note at 1.*

⁷ Law Commission of India, Law Commission Report No. 222- Need for Justice dispensation Through ADR Etc. (April, 2009).

⁸ P. T. Thomas v. Thomas Job AIR (2005) SC 3575

⁹ Legal Service Authority Act 1987, Section 19

respect of— (i) any case pending before; or (ii) any matter which is falling within the jurisdiction of, and is not brought before, any Court for which the Lok Adalat is organised: Provided that the Lok Adalat shall have no jurisdiction in respect of any case or matter relating to an offence not compoundable under any law”.

III. CONSTITUTIONAL PROVISIONS

The Indian Constitution, as a social document, is a major representation of the people's ambitions and aspirations. The framers of the Constitution intended that the law belong to everybody, not just those who utilise the Constitution for unlawful purposes.

Constitutional mandate regarding Lok Adalat

“The idea of equality inscribed in Article 14 of the Constitution stipulates that the state may not refuse individual equality before the law or equal protection of laws within Indian territory, so the equality clause contains two concepts of justice: equality before the law. the law and equal protection from the law”.¹⁰ “The spirit of Article 38 is to provide all its inhabitants with a trilogy of justice—social, economic, and political, Article 39A was incorporated into the Indian Constitution to realise the aim of trilogy of justice, offer free legal assistance, and strengthen equal justice for the poorer sections of society”.¹¹ “Article 40, involved with allocating and subsidiarity of powers at the village level, is one more crucial mandate of the Constitution, the State shall organise Panchayats at the village level by providing powers and authorisation to them as much as it is essential for enabling them to operate as a self-governing unit and the objective is to bestow justice at the doorsteps of everyone in the nation, specifically of villagers and the Law Commission recommended achieving this objective for constituting 'Nyaya Panchayats' at the village level to provide efficient resolution to the villagers for their disputes and decentralise the administration system”.¹²

Hon'ble supreme court of India has defined the the concept of ADR and Lok Adalat in various judgement as in the case of *State of Punjab v. Jalour Singh*¹³ it was observed that “The Lok Adalat is an effective alternative dispute resolution mechanism. It is a forum where disputes/cases pending in the court of law or at the pre-litigation stage are settled amicably”. Similarly, in the case of *Afcons Infrastructure Ltd. v. Cherian Varkey Construction Co. (P)*

¹⁰ Unnati Mouar, LOK ADALAT -EFFECTIVE MEANS OF DISPUTE REDRESSAL MECHANISM IN INDIA *ResearchGate* (2021).

¹¹ *Ibid.*

¹² *Ibid.*

¹³ AIR 2008 SUPREME COURT 1209

*Ltd*¹⁴ Hon'ble Supreme Court has observed that "Lok Adalats are part of the Indian legal system intended to provide a platform for compromise and settlement in cases pending before courts or at pre-litigation stage, in accordance with principles of justice, equity, and fair play" and in the case of *Seth Roshan Lal v. Kartar Singh*¹⁵ it was observed by the Delhi High Court that "Lok Adalats are not courts in the conventional sense but are an institutionalized forum recognized under the Legal Services Authorities Act, 1987, aimed at speedy and conciliatory disposal of dispute".

In light of the foregoing, *Lok Adalats* and *Permanent Lok Adalats* have emerged as indispensable mechanisms within the present legal framework. The Law Commission of India has also emphasized that in jurisdictions burdened with an overwhelming backlog of cases, the most effective remedial measure lies in the establishment of a greater number of Permanent Lok Adalats. These forums would enable the optimal utilization of the expertise and experience of both serving and retired judicial officers in facilitating resolution of disputes through the method of conciliation.

"In Lok Adalat proceedings there are no victors and vanquished and, thus, no rancour. Experiment of 'Lok Adalat' as an alternate mode of dispute settlement has come to be accepted in India, as a viable, economic, efficient and informal one. Lok Adalat is another alternative to Judicial Justice". "This is a recent strategy for delivering informal, cheap and expeditious justice to the common man by way of settling disputes by mutual compromise and settlement, which are pending in Courts and also those, which have not yet reached Courts by negotiation, conciliation and by adopting persuasive, common sense and human approach to the problems of the disputants, with the assistance of specially trained and experienced Members of a Team of Conciliators".

In *Moni Mathi v. Federal Bank Ltd. Arakkunnam*¹⁶, it was held that, "the Lok Adalats are bound to follow the principles of Natural Justice, equity, fair play and other legal principles and also Lok Adalats shall not forget that it is their duty not to dispose of cases some how but to settle cases amicably". Whereas, in *Venkatesh v. Oriental Insurance Co. Ltd.*¹⁷ it was held that, "Court owe a duty to examine all cases to find out whether they are fit cases for reference to Lok Adalat and there is a need for constant efforts on the part of the Bar and the Bench to make litigation to the extent possible, pleasant, comfortable short and cheap". The Objective for instituting permanent and continuous *Lok Adalats* is the recognition that litigants in India

¹⁴ CIVIL APPEAL NO.6000 OF 2010

¹⁵ AIR2002HP131

¹⁶ AIR2003KER164

¹⁷ II(2002)ACC253

have, to date, been largely deprived of a dedicated statutory platform for pre-litigation counselling and settlement. And, these forums are envisioned to serve not only as conciliators but also as counsellors, thereby extending their role beyond adjudication to dispute resolution at a foundational level. The implementation of *Lok Adalats* as a form of Alternative Dispute Resolution (ADR) has been widely accepted within the Indian legal system as a pragmatic, cost-effective, expeditious, and informal mechanism suited to the needs of the common litigant.

IV. HISTORIC BACKGROUND

The idea of Lok Adalat, or "People's Court," has roots that go back centuries in India's indigenous systems of justice but has since been transformed into a contemporary alternative method of dispute resolution.¹⁸ This development is an intriguing combination of indigenous judicial traditions with modern legal principles intended to overcome the problems of an over-stretched judicial system.

A. Ancient roots in village justice systems

The philosophical background of Lok Adalat is traced back to ancient Indian society where village communities settled disputes through native forums such as the Panchayat system.¹⁹ "The different views were given by various thinkers about the kinds of these courts. Yagnakaya and Brihaspati said that popular courts were of three types, viz: (a) Puga, (Narad Calls Gana) (b) Sreni, and (c) Kula."²⁰

The village councils, usually consisting of respected elders, decided cases through informal hearings that focused more on community peace, reconciliation, and consensus-building than confrontational litigation.²¹ The Sanskrit phrase "Panch Parameshwar" (the five are tantamount to God) reflected the sanctity accorded to these village courts and their decisions.²²

These ancient mechanisms functioned according to principles now constituting the central philosophy of contemporary Lok Adalat: accessibility, participatory justice, minimal procedural formalities, and solutions centered on upholding social harmony. As opposed to

¹⁸ Agarwal, Anurag K. *Role of Alternative Dispute Resolution Methods in Reducing Pendency of Cases in Indian Courts*. Ahmedabad: Indian Institute of Management, 2005.

¹⁹ Singh, Amit, and Praveen Singh Chauhan. *Bridging Justice Paradigms: Lok Adalat and ADR Mechanisms*. *International Journal of Criminal, Common and Statutory Law*, vol. 4, no. 2, 2024, pp. 146–154.

²⁰ Mahalingam, T.V. *South Indian Policy*. Madras: University of Madras, 1955, pp. 213–215.

²¹ *Ibid* at 2.

²² Khan, Soyab. *Contemporary Issues in Alternative Dispute Resolution*. *ILE Journal of Alternative Dispute Resolution Law Review (ILE JADRLR)*, vol. 1, no. 1, 2023, pp. 1–6, APIS – 3920 – 0046 | ISBN - 978-81-964391-3-2.

rigid application of codified laws, these forums operated with customary norms and equitable principles that accommodated local values and pragmatic considerations.

B. Colonial disruption and post-independence revival

The British colonial era seriously disrupted these native systems of justice by imposing a centralized, formal legal machinery rooted in Anglo-Saxon jurisprudence.²³ “There is ample evidence to show that an Indian in the service of company since 1614 exercised the powers of the Magistrate in the earliest days of Madras settlement.”²⁴ However, it was only after the court reorganization in 1861 that justice was administered at higher level by judges trained in common law.”²⁵ The displacement of village-level dispute resolution resulted in court congestion and delays in justice—issues that still haunt India's legal system.²⁶

Since India's independence in 1947, legal scholars and social reformers have started advocating for the revival of traditional informal mechanisms for resolving disputes that would supplement the formal judicial system. The trend picked pace during the 1970s when the judiciary and the government felt a need for alternative courts to clear the mounting pendency of cases and ensure increased access to justice for common people.

C. Legal recognition and formalization (1980s)

The contemporary Lok Adalat system started shaping up in the early 1980s in the form of experimental legal aid camps set up in Gujarat. The success of the experiments showed that most disputes could be settled amicably without recourse to the formal court machinery, especially those of marginalized communities with less than adequate access to justice.

The turning point was the passage of the Legal Services Authorities Act of 1987²⁷, which granted statutory recognition to Lok Adalat and formalized them in India's legal system. This act was inspired by constitutional ideals, especially Article 39A,²⁸ which instructs the state to make the legal system provide justice on the basis of equal opportunity and grant free legal services to weaker sections of society.

D. Expansion and diversification (1990s-2000s)

The 1990s saw speedy proliferation of Lok Adalat across the country. What had started as

²³ Sarkar, U.C. *Epochs in Hindu Legal History*. Calcutta: Firma K.L. Mukhopadhyay, 1958, p. 250.

²⁴ Rao, V.N.S. *A Sketch of Three Centuries of Court in Madras (1640-1947)*. Madras: University of Madras, 1984, p. 81.

²⁵ Sajisivan, S. *People's Court: Historical Antecedence of Lok-Adalat*. International Journal of Legal Developments and Allied Issues, vol. 4, no. 2, 2019, pp. 81–90.

²⁶ Majumdar, R.C. *An Advanced History of India*. Macmillan & Co., 1977, p. 553.

²⁷ *Legal Services Authorities Act, 1987*. Act No. 39 of 1987, Government of India.

²⁸ *Article 39A of the Constitution of India*. Government of India, 1949.

spasmodic legal aid camps transformed itself into a large-scale, nationwide system of alternative forums under the management of legal services authorities at national, state, district, and taluka levels. The decade saw experimenting with specialized Lok Adalat dealing with specific categories of disputes like motor accident claims, family disputes, labor cases, and revenue disputes.

A significant development came with the 2002 amendment to the Legal Services Authorities Act, which introduced Permanent Lok Adalat for public utility services.²⁹ Unlike traditional Lok Adalat that depend on voluntary participation and consent, these permanent forums received enhanced powers, including the authority to make binding decisions even without parties' consent in certain circumstances.

E. Modernization and innovation (2010s-present)

The last decade has seen tremendous innovations in the Lok Adalat system. The National Legal Services Authority (NALSA) started conducting National Lok Adalat—mass movement of dispute resolution carried out simultaneously in entire India. These have settled millions of cases in a day's sitting, thereby cutting down court arrears considerably.

The Lok Adalat have also been revolutionized by the digital revolution.³⁰ “The COVID-19 pandemic highlighted the need for alternative dispute resolution procedures, and E-Lok Adalat offers a substitute forum for resolving disputes, attracting parties who would otherwise be reluctant or unable to participate in traditional litigation.”³¹ Maharashtra, Rajasthan, and Karnataka were among the first states to lead these digital platforms, which have now become a staple of the ADR landscape.

These later years have also witnessed increasing professionalization and specialization of Lok Adalat. The earlier-informal procedure has acquired systematic protocols, and conciliators now undergo advanced training in techniques of mediation as well as conflict resolution techniques. At the same time, an effort has been made with deliberateness to retain the underlying values that define Lok Adalat over ordinary courts: informality, consent-based processes, and resolution exceeding legal strictness to redress deeper interests.

This historical evolution of Lok Adalat represents India's unique contribution to global

²⁹ The Legal Services Authorities (Amendment) Act, 2002. Act No. 37 of 2002, Government of India.

³⁰ Ministry of Law and Justice. Lok Adalat organized by Legal Services Institutions in order to reduce the pendency of cases in courts and also to settle the disputes at pre-litigation stage. PIB Delhi, 2 Aug. 2024, 2:45 PM. Available at: <https://pib.gov.in/PressReleaseDetail.aspx?PRID=2040672®=3&lang=1>.

³¹ Sapre, Santosh Namdeo, and Sanika Santosh Sapre. *Horizon of Lok Adalat and Permanent Lok Adalat in Dispute Resolution*. International Journal of Creative Research Thoughts (IJCRT), vol. 12, no. 12, Dec. 2024, ISSN: 2320-2882.

jurisprudence—a system that harmonizes traditional wisdom with modern legal frameworks to create an accessible justice mechanism that complements the formal court system while addressing its limitations.

V. TYPES AND COMPOSITION OF LOK ADALAT

Lok Adalats constitute statutory alternative dispute resolution mechanisms established under the act of the **Legal Services Authorities Act, 1987**, with the objective of ensuring the expeditious and economical dispensation of justice. These forums facilitate the amicable settlement of disputes through **compromise and mutual consent** of the parties involved, thereby fostering a non-adversarial mode of dispute resolution. By enabling consensual adjudication, Lok Adalats play a pivotal role in **decongesting the conventional judicial system** and enhancing access to justice, particularly for **socially and economically disadvantaged groups**, in alignment with the constitutional mandate of equal justice and free legal aid.

At the State Authority Level – “The Member Secretary of the State Legal Services Authority organizing the Lok Adalat would constitute benches of the Lok Adalat, each bench comprising of a sitting or retired judge of the High Court or a sitting or retired judicial officer and any one or both of- a member from the legal profession; a social worker engaged in the upliftment of the weaker sections and interested in the implementation of legal services schemes or programmes”³². ADR authority at state level by the respective State Legal Services Authorities, these are similar to National Lok Adalats but resolve dispute specifically to disputes pending within the state's jurisdiction.

At High Court Level – “The Secretary of the High Court Legal Services Committee would constitute benches of the Lok Adalat, each bench comprising of a sitting or retired judge of the High Court and any one or both of- a member from the legal profession; a social worker engaged in the upliftment of the weaker sections and interested in the implementation of legal services schemes or programmes”³³.

At District Level – “The Secretary of the District Legal Services Authority organizing the Lok Adalat would constitute benches of the Lok Adalat, each bench comprising of a sitting or retired judicial officer and any one or both of either a member from the legal profession; and/or a social worker engaged in the upliftment of the weaker sections and interested in the

³²NATIONAL LEGAL SERVICES AUTHORITY, available at: <https://nalsa.gov.in/lok-adalat> (last visited on February 14, 2025).

³³NATIONAL LEGAL SERVICES AUTHORITY, available at: <https://nalsa.gov.in/lok-adalat> (last visited on February 14, 2025).

implementation of legal services schemes or programmes or a person engaged in para-legal activities of the area, preferably a woman”³⁴. It is the authority at district level as District Legal Services Authorities (DLSAs) and Taluk Legal Services Committees, they operate at the district and sub-district levels, respectively, and address disputes pending before local courts and resolve the dispute at cost efficient manner.

At Taluk Level –Taluk Level Lok Adalat refers to the Lok Adalat organized at the sub-district or taluk level under the direct supervision of the Taluk Legal Services Committee, as per the provisions of the Legal Services Authorities Act, 1987. These forums are established to ensure that justice is made accessible at the grassroots level, particularly to individuals residing in rural and remote areas. “The Secretary of the Taluk Legal Services Committee organizing the Lok Adalat would constitute benches of the Lok Adalat, each bench comprising of a sitting or retired judicial officer and any one or both of either a member from the legal profession; and/or a social worker engaged in the upliftment of the weaker sections and interested in the implementation of legal services schemes or programmes or a person engaged in para-legal activities of the area, preferably a woman”³⁵.

National Lok Adalat – “National Level Lok Adalats are held for at regular intervals where on a single day Lok Adalats are held throughout the country, in all the courts right from the Supreme Court till the Taluk Levels wherein cases are disposed off in huge numbers. From February 2015, National Lok Adalats are being held on a specific subject matter every month”³⁶. These are organized periodically on a single day across the entire country, focusing on mass disposal of cases in various courts, including civil, matrimonial, cheque bounce, and compoundable criminal cases. They are coordinated by the National Legal Services Authority (NALSA).

Permanent Lok Adalat – “The other type of Lok Adalat is the Permanent Lok Adalat, organized under Section 22-B of The Legal Services Authorities Act, 1987. Permanent Lok Adalats have been set up as permanent bodies with a Chairman and two members for providing compulsory pre-litigative mechanism for conciliation and settlement of cases relating to Public Utility Services like transport, postal, telegraph etc. Here, even if the parties fail to reach to a settlement, the Permanent Lok Adalat gets jurisdiction to decide the dispute, provided, the dispute does not relate to any offence. Further, the Award of the Permanent Lok Adalat is final and binding on all the parties. The jurisdiction of the Permanent Lok Adalats is

³⁴ *Ibid.*

³⁵ *Supra note at 17.*

³⁶ NATIONAL LEGAL SERVICES AUTHORITY, available at: <https://nalsa.gov.in/lok-adalat> (last visited on February 14, 2025).

upto Rs. Ten Lakhs. Here if the parties fail to reach to a settlement, the Permanent Lok Adalat has the jurisdiction to decide the case. The award of the Permanent Lok Adalat is final and binding upon the parties. The Lok Adalat may conduct the proceedings in such a manner as it considers appropriate, taking into account the circumstances of the case, wishes of the parties like requests to hear oral statements, speedy settlement of dispute etc”³⁷.

Mobile Lok Adalats- These are various mobile dispute resolution units that travel to rural and remote areas to resolve disputes on the spot, especially in locations where access to regular courts is limited. “Mobile Lok Adalats are also organized in various parts of the country which travel from one location to another to resolve disputes in order to facilitate the resolution of disputes through this mechanism”³⁸

VI. PROCEDURE FOLLOWED IN LOK ADALAT: A LEGAL OVERVIEW

Lok Adalats is a authority, established under the Legal Services Authorities Act, 1987, to serve as an alternative dispute resolution (ADR) mechanism which aimed at facilitating the expeditious and amicable resolution of disputes. The procedural framework of Lok Adalats is designed to reduce the burden on regular courts while ensuring access to justice in a cost-effective and informal manner. The process observed in Lok Adalats generally follows a series of structured steps, which are as follows:

Cases to Lok Adalat - Cases may be referred to the Lok Adalat through two primary ways: (i) by reference from a court of competent jurisdiction, and (ii) by direct application of the disputing parties to access the Lok Adalat. The referral in Lok Adalat may occur during the pendency of litigation, especially where a scope for compromise or settlement exists. Courts, legal service authorities, or parties themselves may initiate the proceeding. Matters eligible for such referral typically include civil disputes which including matrimonial and family disputes, compoundable criminal cases, and other matters permitted under the law.

Preliminary Hearing and Evaluation - Upon referral or application of the parties, the Lok Adalat bench conducts a preliminary sitting. During this phase, the parties involved are given reasonable opportunity to present the nature of their dispute and respective contentions in an informal and non-adversarial setting in Lok Adalat. The bench of the Lok Adalat generally comprises a sitting or retired judicial officer, along with co-members such as advocates, social workers, or other individuals possessing experience in dispute resolution. The objective at this stage is to understand the interests of the parties and assess the potential for settlement.

³⁷NATIONAL LEGAL SERVICES AUTHORITY, available at: <https://nalsa.gov.in/lok-adalat> (last visited on February 14, 2025).

³⁸ *Ibid*.

Mediation and Negotiation Proceedings - The main function of the Lok Adalat is to mediate between the parties, encouraging open dialogue and constructive negotiation and provide them effective settlement. The panel facilitates communication with the aim of identifying common ground and reconciling conflicting interests. Emphasis is laid on mutual understanding and voluntary compromise, devoid of the formalities of procedural law or evidence rules applicable in conventional courts just follow principle of Natural Justice. The proceedings are conciliatory in nature, and the adjudicatory powers of the bench are limited to assisting in the formation of a consensus.

Settlement and Award - If a compromise or settlement is achieved, the terms agreed upon by the parties are recorded in writing and signed by all parties involved, as well as by the members of the bench. The resulting decision or award of the Lok Adalat holds the same legal status as a decree of a civil court under Section 21 of the Legal Services Authorities Act, 1987. Such an award is final, binding, and enforceable on all parties, and no appeal shall lie against it before any court of law and court fee returned to the parties.

Non-Settlement and Reversion to Court - In instances where the parties are unable to arrive at a mutual settlement, the Lok Adalat lacks the jurisdiction to adjudicate the matter on merits. Consequently, the matter is returned to the referring court for continuation of proceedings in accordance with law. The case then resumes its course within the judicial system without prejudice to the rights and arguments of either party.

VII. POWERS AND FUNCTIONS OF LOK ADALAT

A. Jurisdiction of cases

Lok Adalat's jurisdiction is derived from the Legal Services Authorities Act of 1987, which empowers them with the legal jurisdiction to resolve disputes through the vehicles of conciliation and settlement.³⁹ **Section 20(1)** of the Act states that Lok Adalats have **jurisdiction in pending cases** in courts so that they can assist and bring compromises or settlements among parties to any such case pending adjudication in any court.⁴⁰ Their jurisdiction will cover cases that are pending in civil, criminal, and revenue courts and any such tribunal legally constituted, provided the parties agree to refer their dispute to the Lok Adalat to resolve.

One characteristic of Lok Adalat is their ability to **resolve disputes at the pre-litigation**

³⁹ *Dr. Smt. Shashi Prateek v. Charan Singh Verma and Anr.*, AIR 2009 Allahabad 109, [Paras 13, 16 & 17].

⁴⁰ The Legal Services Authorities Act, 1987 (Act 39 of 1987), s. 20(1).

stage as mandated under **Section 19** of the Act.⁴¹ Such preventive jurisdiction facilitates the resolution of disputes before they mature into full-blown litigation, thus conserving judicial time and resources and providing concerned parties instant solutions to their disputes. Pre-litigation disputes can consist of a variety of civil disputes and compoundable criminal cases in which parties desire to resolve their disputes amicably without going to formal court proceedings.

The Legal Services Authorities Act was amended in 2002,⁴² leading to the creation of **Permanent Lok Adalats**,⁴³ which have limited jurisdiction in the context of disputes involving public utility services. According to **Section 22-A**, disputes involving transportation, postal services, telegraph, telecommunication, supply of electricity, water, sanitation, and health services are within the jurisdiction of Permanent Lok Adalats.⁴⁴ The limited jurisdiction assists in resolving disputes involving basic services effectively, thereby serving the interests of both the service providers and the consumers.

A wide range of disputes are decided in Lok Adalats. **From civil disputes involving property disputes, matrimonial disputes, partition suits and rent disputes to compoundable criminal cases** where legal compromise is feasible all are handled by Lok Adalats. The highest number of cases decided by them are from motor vehicle accidents as they provide quicker compensation to the victims as compared to regular courts. The flexible nature of Lok Adalats increase their jurisdiction even to labour disputes, family court cases, consumer disputes and bank recovery cases.

In the case of **Usharani and Others v. Rajaram**,⁴⁵ the court emphasised that the instant parties accepted a final award in a Lok Adalat, the same becomes conclusive in nature, leaving no scope of appeal thereafter. The Legal Services Authorities Act mandates decrees passed by Lok Adalats to be treated on par with those passed by Civil Courts,⁴⁶ thereby rendering the settlement binding and compulsive in nature for the parties to the dispute, with no scope of appeal to any court of law in respect of such decree or order. This norm emphasizes the conclusive nature of the award in a Lok Adalat and instills an approach characterized by seriousness and commitment among the parties to the process.

⁴¹ The Legal Services Authorities Act, 1987 (Act 39 of 1987), s. 19.

⁴² The Legal Services Authorities (Amendment) Act, 2002 (Act 37 of 2002).

⁴³ The Legal Services Authorities Act, 1987 (Act 39 of 1987), s. 22B.

⁴⁴ The Legal Services Authorities Act, 1987 (Act 39 of 1987), s. 22A.

⁴⁵ *Usharani and Others v. Rajaram*, (2012) C.R.P.(NPD)(MD) No. 2542 of 2012, (India).

⁴⁶ *Makwana Mangaldas Tulsidas v. The State of Gujarat*, AIR 2020 SC 719.

B. Penalty powers

Although Lok Adalats place utmost importance on conciliation rather than punitive action, they are vested with some powers to ensure the sanctity of their proceedings. Section 22⁴⁷ of the Legal Services Authorities Act specifically classifies all Lok Adalat proceedings as judicial in nature, within the meaning of Sections 193, 219, and 228 of the Indian Penal Code. The classification of Lok Adalats under these provisions of the acts vest it the authority to deal with issues like contempt, perjury and misconduct during proceedings which ensures that the parties approach with due respect and seriousness toward the forum (Lok Adalats).

Lok Adalats unlike the traditional courts are not empowered under the statutes to impose direct sanctions or punitive measure. Instead, their primarily exists as forums for settlement which favour resolution through mutual consent and enforces it. This limitation ensure that Lok Adalats act as mechanisms of alternative dispute resolution, which are meant to supplement and not to replace the regular court system.⁴⁸

Lok Adalats have the powers to remand cases back to the conventional courts for suitable actions when any offence is made in the course of proceeding before it or any procedure established is not followed. This mechanism ensures that the general integrity of the legal system is safeguarded by resorting to conventional enforcement where necessary if the Lok Adalats are find themselves unable to reconcile.

Though the acts do not empower the Lok Adalats to impose penalty they may include in the terms of its settlement order certain sum of money to be deposited to ensure its compliance. The award of a Lok Adalat is as good as a decree of a civil court under section 21 of the act so the failure to comply with any terms of the settlement order which are included for its compliance may be followed by consequences. These provision gives some teeth to the awards of the Lok Adalats without making these forums punitive in nature.

The court fees initially paid at the start of proceeding before the Lok Adalats is returned to the parties when the case is disposed by the court. This pecuniary incentive makes the litigants seriously think about the option of Lok Adalat, enhancing out-of-court settlements and not overburdening the formal judicial system.

C. Jurisdiction and authority of Lok Adalats across various statutes

Referral of the matter for resolution to Lok Adalat has been limited by the guidelines established in u/S.19(5) and u/S.20(1) and The Legal Services Authorities Act of 1987,

⁴⁷ The Legal Services Authorities Act, 1987 (Act 39 of 1987), s. 20.

⁴⁸ *Executive Engineer And Ors. v. Ghulam Mohideen Tantray*, 2025 LiveLaw (JKL) 79.

u/S.20(2). Furthermore, the Lok Adalat has the authority to decide a case or subject presented to it only on the basis of a settlement or compromise between the parties, as per S. 20(3). Lok Adalat uses its authority to mediate a settlement or compromise between the parties to any issues that are under the purview of any revenue court, civil court, criminal court, or tribunal established by legislation over time. being in effect. It could be any matter that is within the court's jurisdiction but hasn't been presented before it yet, or it could be any case that is currently pending. However, the Lok Adalat and Permanent Lok-Adalat do not have authority over offenses that are not punishable by any legislation.

Lok Adalat has the authority to consider the following types of cases:

1. Any case that is currently pending in Court and has been referred to Lok Adalat by that Court, provided that both parties consent to the referral, or
2. In situations where one party submits a request to the Court for a referral and the Court is initially convinced about the likelihood of reaching a settlement, or
3. When the Court believes that the issue is suitable for Lok Adalat to address.

“Thus, it is clear that while referring a case to Lok Adalat, Court can exercise suo moto powers. However, reference of the matter to the Lok-Adalat on suo moto way, court itself need not have to investigate whether there are chances of settlement. It only has to explore possibility of settlement before such a reference.”⁴⁹

The court may also send a case to Lok Adalat at the request of one of the parties, provided that a hearing is conducted for all parties involved and the court believes there is a possibility for settlement, recording its satisfaction with this assessment. Once such a reference is made, Lok Adalat proceeds to resolve the case and facilitate a compromise or agreement between the parties. Lok Adalat has the authority to accept cases involving not only those eligible for free legal services but also all individuals, including women, men, children, and even institutions. Regarding the types of cases that can be addressed and resolved through Lok Adalat, it initially proved effective for the settlement of monetary claims. However, given the successful track record of Lok Adalats, they have built public trust and have managed to settle disputes related to insurance, motor accident claims, partition suits, damages, matrimonial issues, and land acquisition disputes, where there is a greater potential for resolution.

⁴⁹ Chowbe, Vijaykumar Shrikrushna, and Priya S. Dhanokar. "Lok Adalat – A Strategic Forum for Speedy and Equitable Justice." *SSRN Electronic Journal*, February 2011, DOI: 10.2139/ssrn.1766237.

VIII. LIMITATIONS ON POWERS OF LOK ADALAT

Along with statutory powers and wide jurisdiction, Lok Adalats also have certain limitations which delimit the scope of their power. The first constraint to their jurisdiction is that Lok Adalats are not allowed to resolve the disputes of the parties against their consent. The jurisdiction of Lok Adalats is based on consent of the parties to undergo the process and accept the resolution. This requirement of consent ensures that Lok Adalats stay within their specified role as conciliatory and not adversary forums.

As the concerned documents clearly specify, Lok Adalats are empowered to dispose of cases by way of settlement or compromise and not by the traditional adjudicatory process. They are **not empowered to enforce orders against parties by way of adversarial adjudicative processes**. This limitation emphasizes their description as alternative dispute resolution mechanisms as contrasted with substitute courts with complete adjudicatory powers.

Even though it creates a sense of irreversibility, the absence of appeal mechanisms for Lok Adalat orders means that there is no remedy for parties that later find flaws in the settlement or agreement arrived at.⁵⁰ But as noted in the documents, in case parties are not content with the settlement proposed in the process, they are entitled to refuse their assent, and the case may be remitted to the regular court process or permit parties to initiate fresh legal proceedings in courts of competent jurisdiction.

“The Punjab & Haryana High Court held that Lok Adalats are not courts under the Contempt of Courts Act. Therefore, a violation of their directions is not contempt of court. The ruling highlights the restricted jurisdiction of Lok Adalats, marking their function as settling rather than deciding disputes. The judgment also noted that contempt jurisdiction has to be exercised cautiously and in line with the provisions of the Contempt of Courts Act.”⁵¹

In criminal law, the jurisdiction of Lok Adalats is only for compoundable offenses where legal compromise is allowed. Grave criminal offenses are beyond their scope, which is the recognition that certain issues need the complete procedural protections and punitive powers inherent in the classical criminal justice system. In enforcing non-compliance and award administration, Lok Adalats are also dependent on the formal court system. Such dependence points to their complementary character and not as independent units of the overall judicial system. The Lok Adalat awards also do not set precedents to future cases. Each case is decided on its specific fact and circumstances, without creating binding legal principles.

⁵⁰ *United India Insurance Co. Ltd. v. Ajay Sinha*, AIR 2008 SC 2398.

⁵¹ *Madhukar Baburao Shete v. Yogesh Trimbak Shete & Anr.*, (2024) SCC 719.

Where settlement fails, the case is referred to regular courts for adjudication under Section 22(5) of the Act, which highlights the voluntary nature of Lok Adalat proceedings. This ensures that parties always retain the choice of conventional adjudication in case alternative dispute resolution fails. These boundaries guarantee that Lok Adalats continue to be faithful to their initial concept as institutions of conciliatory resolution of disputes, while simultaneously recognizing the abiding role of the formal judiciary for cases which need adjudication instead of resolution by consent.

IX. ADVANTAGES AND CHALLENGES OF LOK ADALAT

Advantages of having Lok Adalat system

Lok Adalat plays a significant role in the Indian legal framework by offering an alternative dispute resolution mechanism that is significantly time-efficient and cost-effective. Functioning under the Legal Services Authorities Act, 1987, Lok Adalats are established to facilitate the amicable settlement of disputes through conciliation and compromise, thereby reducing the burden on Indian courts. One of the important advantages of Lok Adalat is its contribution to alleviating the excessive backlog of cases pending before the judiciary. By resolving disputes outside the formal court system, it helps in enhancing judicial efficiency and promotes speedy disposal of cases. Matters such as civil disputes, matrimonial issues, and compoundable criminal cases are often settled through mutual agreement between the parties, under the guidance of legal experts, retired judges, or trained mediators. There are various advantages of Lok Adalat.

1. “Lok Adalats are meant for conciliated settlement of disputes outside court which is what most of our people like if the matter allows for this kind of settlement. There is a fear among a large number of people about taking disputes to court, not just about delay in getting justice but also for financial reasons. In fact, one of the reasons for the formation of Lok Adalat or people’s court is to provide fair and uncomplicated justice to the financially deprived section of our society. Though government provides legal aids to poor, there is a fear of monetary loss during the time period which is why most people prefer Lok Adalats”⁵². Article 39A⁵³ of Indian Constitution mandates for the free legal aid for the weaker section and the Lok Adalat is cost effective and adhere to Article 39A of the Indian Constitution, and provide speedy justice which is a fundamental right.

2. “Family disputes like property acquisition and matrimonial issues are far better and faster

⁵²Sristi Nimodia, Lok Adalat *ResearchGate* (2020).

⁵³ Constitution of India, Article 39A

solved by these Lok Adalats in comparison to courts. Though there are family courts for these matters, people would always prefer settlement outside court and in a fair and just manner which is delivered well by Lok Adalats. It saves time and expenses and also is easier for parties to make their claims which is not the case when the matter is in court and witnesses are afraid of getting involved into legal matters”⁵⁴. Mainly in the family matters the ties broke in the traditional legal method but by the way of Lok Adalat the court applies the mediation proceeding which is effective and adhere to protect the family ties and resolve the dispute peacefully.

3. “The number of cases that require jurisdiction is increasing at an alarming rate and let’s face it we have far inadequate number of courts and judges in our country than we require which leads to unnecessary delay even in smaller cases. If more and more people could understand the significance of Lok Adalats and resort to them for easy litigations, there would be lesser pending cases in the files gathering dust since years in courts”⁵⁵. As the Lok Adalat helps in the clearing the backlog of cases by settling them outside the court with an efficient manner which helps in the curtail of the over burden of judiciary.

4. “Lok Adalats can be a decent supplement to the work of courts and could contribute to justice in a good way only if awareness is increased and people are encouraged to opt for them. For illiterates and poor there are even more advantages of taking matters to lok adalats. Proceedings are conducted faster and in simple arrangements and even in local languages. They are not strict about procedural laws or Evidence Act and are based more on merits which makes it ‘People’s Festival of Justice’.”⁵⁶ As the proceeding are generally conducted in the local language of the place and where most of the people are more comfortable in the local language which generally not followed in the traditional court and this feature make more accessible to public at large.

5. “There is no absolute need of advocates by the victim and the convict, who can either prefer to have their cases pleaded by the lawyer or simply talk to the judge about the matter directly. This is not a possibility in courts where a third person pleads the case and the people involved only get a say when their turn comes. To explain their stand directly is an advantage that makes people’s court very accessible and easy for people”⁵⁷. No strict the procedure is followed of civil and criminal laws and mainly the principle of natural justice is being followed in the court which makes procedure simple, fast and efficient.

⁵⁴ Sristi Nimodia, Lok Adalat *ResearchGate* (2020).

⁵⁵ *Ibid.*

⁵⁶ *Supra Note at 27.*

⁵⁷ Sristi Nimodia, Lok Adalat *ResearchGate* (2020).

6. “Even if the case is filed in court, the expenses are refunded to the party when the case is solved by Lok Adalat which is another reason why people should be made more aware of this litigation system where there is no fee involved. According to justice V V Rao, it will take another 320 years to clear the pending backlogs in India but if more and more people take their cases to Lok Adalats, there is a fair chance that this could be achieved earlier”⁵⁸. Justice at free of cost when the matter is solved the court fee is refunded which means there will be no financial burden on the parties related to their dispute.

Challenges and issues related to Lok Adalat

The concept of Lok Adalats have shown significant effectiveness in resolving disputes across various matters, certain persistent challenges continue to create hardship in their optimal functioning. Addressing these impediments is essential to enhance their overall efficacy and ensure the realization of their full potential within the framework of alternative dispute resolution mechanisms.

The Cases which are being placed before Lok Adalat: “The motive to establish Lok Adalat is mainly because in order to enforce the speedy settlement of the cases in an effective and efficient way but in the reality the cases which are being placed before the Lok Adalat are being prolonged and delayed beyond imagination and parties might have spent huge sums in the form of court fee, advocates fee and other miscellaneous expenses”⁵⁹. People in India are not much aware the concept of ADR system or Concepts of Lok Adalat because of this people traditionally approach the courts and spent so much money.

Litigant is Not Living Person: - A significant proportion approximately 90% of the cases referred to Lok Adalats do not involve disputes between natural persons, but rather between natural persons and legal entities or non-living persons. These primarily include disputes of Motor Vehicle Accident Claim Cases and bank recovery suits, as well as cases related to municipal and panchayat bodies. In such instances, institutions like banks, electricity boards, and municipal corporations, being juristic persons, are party to the proceedings. Prior to the formal sittings of the Lok Adalat, pre-sittings are commonly conducted wherein norms for settlement are predetermined in consultation with the representatives of the both the parties. Once such settlement frameworks are established, the actual involvement of the disputing parties during the Lok Adalat proceedings becomes minimal or redundant, thereby

⁵⁸ *Ibid.*

⁵⁹ K. Threeshwaran, R. Sri Ram, A Study on the Problems and Challenges of Lok Adalat System in India *INTERNATIONAL JOURNAL OF LAW MANAGEMENT AND HUMANITIES* 1496 (2023).

undermining the participatory and ADR essence of the forum. The inclusion of these cases in Lok Adalats, despite limited party engagement, appears to be driven by an intention to reflect inflated statistics of case disposal rather than genuine dispute resolution. Particularly in matters involving insurance companies, pre-adjudication meetings are conducted with company officials where decisions are made based on internal assessments without affording the opposing party a fair opportunity to be heard contrary to the principles of natural justice. Consequently, only a limited number of cases placed before Lok Adalats undergo substantive adjudication in accordance with justice, equity, and good conscience.

Forceful acceptance of terms Sometimes - The Lok Adalat process, while intended to facilitate amicable dispute resolution, often exerts undue pressure on certain participants to accept settlement terms that may not adequately address their grievances or meet their legitimate claims. In many instances, parties particularly individual claimants—are compelled to agree to settlements that fall short of fair compensation, primarily due to the persuasive influence of pre-negotiated norms or institutional representatives. This dynamic undermines the voluntary nature of alternative dispute resolution and raises concerns regarding the fairness and equity of outcomes. As a result, the process may fail to uphold the core principles of justice and natural fairness.

The Presiding Officers Not to Act as Facilitator but Act as Judges: - “The presiding officers in Lok Adalat are retired judicial officers and others from that area with the required qualifications and expertise. However, in some circumstances, the officers are unable to persuade the parties to settle the disputes amicably, despite the fact that the members are not trained, specifically, the presiding officer of the court's thinking is similar to that of an adversarial procedure, and he attempts to behave as if he is sitting in court, rather than leading an active rule”⁶⁰. “He frequently fails to recognise that he is merely a facilitator and not a decision making authority in the capacity of a judge. Other members who are present in Lok Adalat by nature do not agree with their brother members in Lok Adalat and invite criticism from their superiors”⁶¹.

X. LOK ADALAT: WHY IN TREND RECENTLY?

The movement of National Lok Adalats has seen tremendous growth and acceptance since 2015, shifting from the periphery as an alternative means of dispute resolution to the mainstream system of delivery of justice. “To achieve this goal, the Legal Services

⁶⁰K. Threeshwaran, R. Sri Ram, A Study on the Problems and Challenges of Lok Adalat System in India *INTERNATIONAL JOURNAL OF LAW MANAGEMENT AND HUMANITIES* 1497 (2023).

⁶¹*Supra Note at 33.*

Authorities shifted to dynamic preparation strategies for organization of the Lok Adalats. As a preparatory measure, NALSA started organization of prior consultative and review meetings with all the State Legal Services Authorities to guide them towards the maximum disposal during such Lok Adalats. Before the organization of each National Lok Adalat, multiple interactions were organised with the Executive Chairpersons of all the State Legal Services Authorities, wherein one-to-one interactions were made to take a stock of the preparations as well as to boost the morale of the stakeholders tasked to organize the Lok Adalats.”⁶²

“The five National Lok Adalats that were organised between April 2021 and March 2022, disposed of 2.06 crore (20,583,396) cases of which 1.26 crore (12,565,775) were pre-litigation cases with the total value of settlement amounting to 7,322 crore. This is an increase from 2018-19 where the same number of national Lok Adalats were held and disposed of total 0.59 crore (5,908,612) cases of which 0.33 crore (3,294,463) were pre-litigation cases. Uttar Pradesh (65.7 lakh cases) disposed of the most pre-litigation cases, followed by Maharashtra (39.1 lakh) and Jharkhand (3.7 lakh). When compared with the number of pre-litigation cases taken up, 11 states/UTs cleared more than 50 per cent of the cases it received. 52 Telangana (93 per cent) cleared the most cases against the number taken up while Odisha (4 per cent) and Goa (6 per cent) cleared the least. Seven states/UTs cleared less than 10 per cent cases it received at the pre-litigation stage.”⁶³

The COVID-19 pandemic posed unprecedented challenges to judicial operations, but it also spurred innovation in the Lok Adalat system. 2020 saw the dawn of e-Lok Adalats (Digital Lok Adalats) updating the conventional model to digital platforms. The initial Virtual National Lok Adalat took place in 2020, overcoming geographical limitations while preserving the institution's character. This shift to digital extended the reach of Lok Adalats to distant locations and weaker sections of society previously restricted by geographical barriers.

Post-2020, National Lok Adalats have adopted a hybrid model, with both physical and virtual modes of functioning. This has further sped up case disposal rates. The period 2021-22 witnessed around 1.8 crore cases being disposed of through National Lok Adalats. Even more remarkably, recent National Lok Adalats (2023-24) have repeatedly settled more than 20 lakh cases in single-day events, showcasing their efficiency and public acceptability. The amounts of settlements have also risen correspondingly, with recent National Lok Adalats ordering

⁶² Press Information Bureau, Emergence of Lok Adalat as the most efficacious tool of Alternative Dispute Resolution, Press Release, 12 January 2022, available at: <https://pib.gov.in/PressReleaseIframePage.aspx?PRID=1789360>

⁶³ India Justice Report, *India Justice Report: Ranking States on Police, Judiciary, Prisons and Legal Aid (2022)*, Tata Trusts, April 2023, available at: https://indiajusticereport.org/files/IJR%202022_Full_Report.pdf

settlements above Rs. 3,000 crores in a single sitting.

The diversity of the subject matter of cases resolved by National Lok Adalats has also increased since 2015. While National Lok Adalats initially covered mostly motor accident claims, negotiable instruments cases, and marriage disputes, presently National Lok Adalats deal with bank recovery cases, labor disputes, consumer cases, revenue cases, electricity and water bills disputes, and even small criminal cases. This diversification is an indication of both institutional capacity building as well as increased public faith in the Lok Adalat system.

XI. JUSTICE COMMENDING LOK ADALAT

Judicial support for Lok Adalats has been a major contributory factor in their increasing relevance. The Indian Supreme Court has persistently acknowledged Lok Adalats as crucial elements of access to justice. In *P.T. Thomas v. Thomas Job* (2005), the supreme court termed Lok Adalats as "effective alternative to litigation" and stressed their part in decongesting courts. This highest court judicial ratification has fortified the institutional legitimacy of Lok Adalats.

Justice N.V. Ramana, the former Chief Justice of India, has been especially vocal in his endorsement of Lok Adalats, terming them as "the most efficacious tool of alternative dispute resolution" in a number of public speeches between 2021 and 2022. He once said, "the concept of ADR, through Lok Adalats, Gram Nyayalayas, mediation and arbitration centres, has the potential to transform the legal landscape of India by providing millions of people a platform to settle their grievances."⁶⁴

In the landmark case of *Abdul Hasan and National Legal Services Authority v. Delhi Vidyut Board and others*,⁶⁵ the Delhi High Court said:

"16. The need to establish permanent and continuous Lok Adalat(s) and to resort to alternative dispute resolution mechanism cannot be overlooked. The Lok Adalat and alternative dispute resolution experiment must succeed otherwise the consequence for an overburdened court system would be disastrous. The system needs to inhale the life giving oxygen of justice through the Lok Adalats."

Justice D.Y. Chandrachud, the present Chief Justice of India, has underscored the contribution of technology towards making Lok Adalats more efficient. His endorsement of e-Lok Adalats and online platforms for alternative dispute resolution has further brought the concept into the

⁶⁴ The Hindu, CJI wants courts to promote alternative dispute resolution tools, 11 April 2022, available at: <https://www.thehindu.com/news/national/cji-wants-courts-to-promote-alternative-dispute-resolution-tools/article65306903.ece>

⁶⁵ *Abul Hassan and National Legal Services Authority v. Delhi Vidyut Board and Others*, AIR 1999 SC 375.

modern era, aligning it with the needs of justice in the present times. This technological advancement, supported by judicial leadership, has made Lok Adalats progressive institutions instead of being old-fashioned adjuncts to the formal system.

XII. OTHER FACTS ABOUT LOK ADALATS

The conventional legal system was surrounded by several chronic problems which the Lok Adalat solved thanks to its unique characteristics. Their most attractive feature is the cost effectiveness. When a case is directly filed in the Lok Adalat, no court fee is required and when a pending case is referred to the Lok Adalat the court fee initially deposited is returned upon the disposal of the matter by it. This low cost or no cost method for justice followed by the Lok Adalat attracts the people who generally deter from pursuing justice because of the litigation cost.

The other reason behind the popularity of Lok Adalats is their procedural simplicity. When compared to the formal courts with a straitjacketed procedural code, Lok Adalats have a informal procedure which is straightforward and easy to understand by the litigants. The proceedings here are free from statutes like the Indian Evidence Act and Code of Civil Procedure while evaluating the claims and capacities of the parties. All this procedural informality allows the Lok Adalats to quickly dispose of the matter in hand without sacrificing the substantive justice.

The case disposal figures do not properly define the social contribution of Lok Adalats. "The Mobile Lok Adalat is designed to take justice to the doorsteps of individuals who live in remote, rural, or underserved areas. The idea behind Mobile Lok Adalats is to ensure that people who might otherwise face barriers in accessing the formal legal system can have their disputes resolved in a timely and cost-effective manner."⁶⁶

XIII. CONCLUSION

The institution of Lok Adalats represents an alternative and also indispensable milestone within India's judicial framework of India, which address critical challenges faced by traditional courts. Evidence suggested that these people's courts have evolved from a theoretical construct into a significant instrument of dispute resolution, particularly in a nation where judicial accessibility has historically remained elusive for such a large population. The judicial pendency crisis which is a significant concern with an alarming 30 million cases awaiting finality constitutes a profound threat to timely justice delivery and violation of

⁶⁶ Amit Singh and Praveen Singh Chauhan, "Bridging Justice Paradigms: Lok Adalat and ADR Mechanisms", (2024) 4(2) Int J Crim Common Statutory L 146–154. DOI: 10.22271/27899497.2024.v4.i2b.103.

principle of justice delayed is justice denied. Lok Adalats have emerged as the most viable mechanism to alleviate this extraordinary burden, consistently demonstrating their capacity to resolve disputes expeditiously while preserving the justice and preserving the substantive rights of litigants. The data given by National Legal Services Authority confirms their remarkable efficiency, which is higher than the traditional judicial process method. Beyond mere case disposal, Lok Adalats protecting the justice by safeguarding from the procedural, financial, and educational barriers that have historically rendered the traditional court system inaccessible to marginalized communities to give effect to the Article 39A of the Constitution, which mandates equal justice and free legal aid, thereby converting constitutional aspirations into judicial outcomes. The Lok Adalat system stands as India's significant contribution to global jurisprudence on Alternative Dispute Resolution, incorporating conflict resolution traditions. India's demographic exigencies and the disproportionate judge to population ratio among the lowest globally the imperative for strengthening Lok Adalats transcends mere policy preference and constitutes a judicial necessity.
