



# CURRENT AFFAIRS



Argasia Education PVT. Ltd. (GST NO.-09AAPCAI478E1ZH)  
Address: Basement C59 Noida, opposite to Priyagold Building gate, Sector 02,  
Pocket I, Noida, Uttar Pradesh, 201301, CONTACT NO:-8448440231

Date - 29 July 2024

## EMERGENCE OF LOK ADALAT AS THE MOST EFFICACIOUS TOOL OF ALTERNATIVE DISPUTE RESOLUTION

### Emergence of Lok Adalat as the most efficacious tool of Alternative Dispute Resolution

This article covers "Daily Current Affairs," and the topic details related to the Lok Adalat as an Alternative Dispute Redressal mechanism.

**Syllabus mapping: GS-2: Separation of powers between various organs dispute \redressal mechanisms and institutions. Structure, organization, and functioning of the Judiciary**

#### For Prelims:

**What are the various constitutional provisions related to Lok Adalat and NALSA provisions?**

#### For Mains:

**How the Lok Adalat has emerged as an efficient mechanism as an alternative dispute redressal mechanism. Various issues, challenges, and ways forward to make it more efficient.**

#### Why In News

The SC is to organize Special Lok Adalat week from today to commemorate the 75th Anniversary.

#### Introduction:

The National Legal Services Authority (NALSA) has made significant strides in enhancing access to justice for citizens by leveraging the power of National Lok Adalats. In recent years, NALSA focused on optimizing these Lok Adalats to address the growing backlog of cases and provide timely, affordable justice through Alternative Dispute Resolution (ADR) mechanisms.

#### Historical Roots:

Lok Adalat draws from traditional village councils in India, like Gram Panchayats and Nyaya Panchayats, which have long used informal methods to resolve conflicts. **Modern Structure:** Introduced formally in 1982 in Gujarat and later spread across India, Lok Adalats gained statutory recognition with the Legal Services Authorities Act, of 1987. This Act established a framework for organizing Lok Adalats and made them a permanent feature of the justice system.

## Statutory Framework

- **Statutory Status:** Lok Adalats are formally recognized under the **Legal Services Authorities Act, of 1987**. This Act grants them legal authority and outlines their functions.
- **Award as Decree:** The decision (award) given by a Lok Adalat is treated as a decree of a civil court. **It is final and binding on all parties involved, and no appeal can be made against it in any court.**
- **Post-Award Litigation:** There is no provision for appealing against a Lok Adalat's award. However, if a party is dissatisfied, they retain the right to initiate litigation by filing a case in the appropriate court, following the legal procedures.

## Financial and Procedural Aspects

- **No Court Fees:** There is no fee required to file a matter in a Lok Adalat. If a matter referred to Lok Adalat was previously pending in a court and is settled there, the court fees originally paid are refunded to the parties.
- **Statutory Conciliators:** Members of Lok Adalats act as conciliators. They do not have judicial powers but facilitate settlements by encouraging parties to reach a compromise.
- **No Coercion:** Members must ensure that the settlement is voluntary. They cannot coerce or pressure any party into settling the dispute.
- **Decision-Making Process:** Voluntary Settlement: Lok Adalats do not make decisions unilaterally. They only resolve disputes based on the agreement reached between the parties. The role of the members is to assist in reaching a mutually agreeable settlement.

## Key achievements of Lok Adalat:

### Top Categories of Disposed Cases (2021):

- **Criminal Compoundable Cases:**
  - Pending Cases Disposed: 17,63,233
  - Pre-litigation Cases Disposed: 18,67,934
- **Revenue Cases:**
  - Pre-litigation Cases Disposed: 11,59,794
  - Pending Cases Disposed: 14,99,558
- **Other Categories:** Included cheque bounce cases under the NI Act, bank recovery cases, motor accident claims, labor disputes, and matrimonial cases.

## Types of Lok Adalats:

- **National Lok Adalats:** Held across the country on scheduled days to handle numerous cases simultaneously.
- **Mobile Lok Adalats:** Travel to remote areas to make justice accessible to people who can't easily reach courts.
- **Permanent Lok Adalats:** Operate continuously at district levels and have the power to issue binding awards.

## Jurisdiction of Lok Adalat:

According to Section 18(1) of the Legal Services Authorities Act:

1. **Jurisdiction Over Pending Cases:** Lok Adalat has the authority to handle and resolve any case that is already pending before a court.
2. **Jurisdiction Over Pre-Litigation Matters:** Lok Adalat can also handle disputes that fall within its jurisdiction but have not yet been filed in court.
3. **Exclusions: Divorce:** Matters relating to divorce cannot be settled by Lok Adalat. **Non-Compoundable Offenses:** Matters involving non-compoundable offenses are outside the scope of Lok Adalat.

## Levels and Composition of Lok Adalats

### NALSA (National Legal Services Authority)

- **Patron-in-Chief:** The Chief Justice of India, currently Hon'ble Dr. Justice D. Y. Chandrachud, serves as the Patron-in-Chief of NALSA. This position underscores the importance of NALSA in the judicial system and ensures high-level oversight.
- **Headquarters:** NALSA is headquartered at the Supreme Court of India, Tilak Marg, New Delhi (110001), making it centrally located within the highest judicial institution in the country.
- **NALSA Centre for Citizen Services:** Located at Jaisalmer House, Man Singh Road, New Delhi (110011), this center operates during office hours on working days and focuses on providing direct services and support to citizens.

### State Legal Services Authorities (SLSA)

- **Purpose:** Each State Legal Services Authority implements the policies and directions of NALSA within its state, focusing on delivering free legal services and conducting Lok Adalats.
- **Leadership:**
  - **Patron-in-Chief:** The Chief Justice of the respective High Court of the state.

- **Executive Chairman:** A senior most judge of the High Court is appointed as the Executive Chairman of the SLSA, overseeing its day-to-day operations and strategic direction.

### **District Legal Services Authorities (DLSA)**

- **Purpose:** DLSAs are responsible for implementing legal services programs at the district level, ensuring the reach and effectiveness of legal aid services.
- **Location:** Situated within the District Courts Complex in each district.
- **Leadership:**
  - Chair: The District Judge of the respective district.
  - Secretary: A Civil Judge Cadre Judicial Officer, appointed on a full-time basis, manages the operations and administration of the DLSA.

### **Taluk Level:**

- **Constitution:** Benches are organized by the Secretary of the Taluk Legal Services Committee.
- **Composition:**
  - A sitting or retired judicial officer.
  - Any one or both of:
    - A legal professional.
    - A social worker or paralegal worker engaged in legal services and upliftment.

### **Significance of Lok Adalats**

#### **Accessibility:**

- **Reduced Costs:** No court fees are required, and there's often no need for legal representation, making it affordable for everyone.
- **Speed:** Cases are resolved much faster compared to the traditional court system.
- **Convenience:** Mobile Lok Adalats bring justice to rural or remote areas.

**Efficiency: High Case Disposal:** Since their inception, Lok Adalats have resolved millions of cases. Reports indicate significant numbers of cases are settled efficiently, which helps reduce the burden on traditional courts.

**Grassroots Approach:** By operating at local levels and involving community members in the resolution process, Lok Adalats makes the justice system more approachable and effective.

**Encouraging Settlement:** The aim of Lok Adalats is to encourage out-of-court settlements. The parties involved are encouraged to come to a mutually acceptable agreement, which can help maintain relationships and avoid prolonged disputes.

### **Challenges and Areas for Improvement**

1. **Execution of Awards:** Lok Adalats can issue awards but can't enforce them. This means that after a settlement, the parties must still go to regular courts to enforce the decisions, which complicates the process.
2. **Scope of Jurisdiction:** Lok Adalats handles only certain types of cases. For instance, their jurisdiction in criminal matters is limited to cognizable offenses, excluding petty crimes.
3. **Inadequate Resources:** There are often concerns about the adequacy of infrastructure and trained personnel for Lok Adalats, which can impact their effectiveness.
4. **Public Awareness:** While increasing, the public's understanding and acceptance of Lok Adalats are still evolving. More awareness is needed to encourage people to use this mechanism.

### **Recommendations for Improvement**

- **Empower Lok Adalats:** Grant Lok Adalats the power to enforce their awards directly, reducing the need for additional court procedures.
- **Expand Jurisdiction:** Broaden the range of cases Lok Adalats can handle, including petty criminal offenses.
- **Increase Resources:** Invest in better infrastructure, training, and support for Lok Adalats to enhance their operational efficiency.
- **Regular Scheduling and Awareness:** Establish regular schedules for Lok Adalats and increase public awareness to ensure that more people know about and use this dispute resolution method.

**Conclusion:** Lok Adalat exemplifies a successful alternative dispute resolution mechanism in India. Continued efforts and reforms will enable it to reach its full potential and contribute further to justice accessibility and efficiency.

### **Prelims Question:**

1. **Consider the following statements:**

#### **Statement-I:**

The NALSA does not follow the Code of Civil Procedure 1908, but follows the principle of natural justice.

#### **Statement-II:**

One of the objectives of the NALSA is to make the judicial procedure hassle free and guarantee citizens access to justice via a simple process.

Which one of the following is correct in respect of the above statements?

- (a) Both Statement-I and Statement-II are correct and Statement-II is the correct explanation for Statement-I
- (b) Both Statement-I and Statement-II are correct and Statement-II is not the correct explanation for Statement-I
- (c) Statement-I is correct but Statement-II is incorrect
- (d) Statement-I is incorrect but Statement-II is correct

**ANSWER: a**

**Mains Question:**

Do you think that the Lok Adalats has emerged as the most efficacious tool of Alternative Dispute Resolution? Present your argument and also mention the ways to make Lok Adalat more effective.

(150 words 10 marks)

**Munde Dhananjay Navnath**

**PLUTUS IAS** UPSC / PCS **UPSC CSE 2024-25**

# CHEMISTRY OPTIONAL

**FRESH BATCH**

STARTS FROM  
**05<sup>th</sup> AUGUST 2024**  
**04:10PM**

CHEMISTRY WHATSAPP CHANNEL

Basement 8 , Apsara Arcade, Karol Bagh Metro Station,  
Gate no. - 6, New Delhi 110005

**OUR CENTERS** Delhi | Chandigarh | Shimla | Bilaspur

BY **Dr. KESHAV KUMAR**  
Ph.D. IN CHEMISTRY

Info@plutusias.com 8448440231 www.plutusias.com