

e-Lok Adalat in Karnataka

September 29, 2020

There are many hurdles in providing speedy justice delivery in India. Covid-19 outbreak has added to the delay. In such circumstances the holding of e-Lok Adalat in Karnataka has provided a platform to people to settle their grievances at their places and has become a model for other states.

In news: Karnataka witnessed a mega e-Lok Adalat on September 19, 2020 at the taluk, district and High Court-level.

Placing it in syllabus: Lok Adalats

Static dimensions

1. Lok Adalats – composition, powers and functions
2. Permanent Lok Adalats
3. Importance of e-Lok Adalats and hurdles

Current dimensions

1. Recent e-Lok Adalat in Karnataka

Content:

Recent e-Lok Adalat:

- The e-Lok adalats were held in all the 30 judicial districts of the State by forming 940 Benches for the settlement process.
- The **cases were settled through virtual mode** as it is not possible to hold regular Lok Adalats due to COVID-19 restrictions.
- Both **litigants and their lawyers were allowed to approach the respective courts or the legal services authorities** for referring their cases for settlement through e-Lok Adalats.
- The e-lok adalat was held as holding regular Lok Adalats since Covid outbreak was not possible and this had

affected the litigants and impacted the livelihood of advocates as well.

- The mega e-Lok Adalats were being organised keeping in mind the interests of litigants and advocates.
- Nearly **3,700 cases, pending in three Benches of the High Court** in Bengaluru, Kalaburagi and Dharwad were identified.
- These were referred for settlement through e-Lok Adalat proceedings held through videoconferencing, which was **attended by the lawyers and the litigants from their respective locations.**
- e-Lok Adalats at the micro level made an attempt to settle motor vehicle accident compensation, compoundable criminal cases, cheque bounce cases and family court matters (except divorce cases) as per the SOP devised for the purpose.

What are Lok Adalats?

- Lok Adalat is one of the **alternative dispute redressal mechanisms.**
- It is a forum where **disputes/cases pending in the court of law or at the pre-litigation stage are settled/compromised amicably.**
- They are given statutory status under the **Legal Services Authorities Act, 1987.**
- The award (decision) made by the Lok Adalats is deemed to be a decree of a civil court and is **final and binding on all parties** and **no appeal against such an award** lies before any court of law.
- If the parties are not satisfied with the award of the Lok Adalat they are free to **initiate litigation by approaching the court of appropriate jurisdiction** by filing a case by following the required procedure, in exercise of their right to litigate.
- There is **no court fee payable when a matter is filed in a Lok Adalat.**

- If a matter pending in the court of law is referred to the Lok Adalat and is settled subsequently, the court fee originally paid in the court on the complaints/petition is also refunded back to the parties.
- The persons deciding the cases in the Lok Adalats are called the Members of the Lok Adalats, have the **role of statutory conciliators only** and do not have any judicial role.

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.

Nature of cases to be referred to Lok Adalats:

1. Any case pending before any court,

1. Any dispute which has not been brought before any court and is likely to be filed before the court,

provided that any matter relating to an offence not compoundable under the law shall not be settled in Lok Adalat.

Levels and Composition of Lok Adalats:

Lok Adalats are held throughout the country, from State authority level, high court level, district level and till the taluk levels.

<u>Composition</u>			
State	H.C	District	Taluk
Retired judge of H.C/Serving/retired Judicial Officer +	Retired judge of H.C/Serving/retired Judicial Officer +	Sitting/retired Judicial Officer +	Sitting/retired Judicial Officer +
A MEMBER OF LEGAL PROFESSION +	A MEMBER OF LEGAL PROFESSION +	A MEMBER OF LEGAL PROFESSION +	A MEMBER OF LEGAL PROFESSION +
A SOCIAL WORKER ENGAGED IN UPLIFTMENT OF WEAKER SECTIONS,SVC/ST,WOMEN ETC.,	A SOCIAL WORKER ENGAGED IN UPLIFTMENT OF WEAKER SECTIONS,SVC/ST, WOMEN ETC.,	A SOCIAL WORKER ENGAGED IN UPLIFTMENT OF WEAKER SECTIONS,SVC/ST, WOMEN ETC.,	A SOCIAL WORKER ENGAGED IN UPLIFTMENT OF WEAKER SECTIONS,SVC/ST ,WOMEN ETC.,

Permanent Lok Adalats:

- Permanent Lok Adalat is organized under **Section 22-B of The Legal Services Authorities Act, 1987.**
 - They 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.
 - Even if the parties fail to reach 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 upto **Rs.10 lakhs.**
- It may conduct the proceedings in such a manner as it considers appropriate, taking into account the circumstances of the case, wishes of the parties, speedy settlement of dispute etc...

Importance of e- Lok Adalats and hurdles:

- They have the potential to transform the legal landscape of India by providing a platform to people to settle their grievances at their places.
- Enables marginalised people to access justice.
- It minimizes litigation expenditure.

- Saves valuable time of the parties and their witnesses
- Facilitates inexpensive and prompt remedy
- Mitigates the delay involved in the disposal of cases

Hurdles:

- The gatherings and legal advisors face trouble in associating through video-conferencing
- Popularising e-Lok Adalats at the grassroots levels, where people have no facility of video conferencing is difficult
- Providing access to technology

Mould your thought:

1. Explain the importance of Lok Adalats in ensuring speedy justice delivery. Can e-Lok Adalats act as an alternative to Lok adalats?

Approach to the answer:

- Write about lok adalats.
- Give example of recent e-Lok Adalat held and write about its importance
- Write down the hurdles faced in e-Lok Adalat
- Give a balanced answer