

Lok Adalat

January 27, 2021

In News: A daily wager in Odisha's Kandhamal district has moved the Lok Adalat against Prime Minister Narendra Modi after he allegedly failed to get an Aadhaar card registered in his name despite 21 attempts.

What are Lok Adalats?

- Lok Adalat (People's Court) is an alternative dispute resolution mechanism.
- The forum can settle cases pending on panchayat or at a pre-litigation stage in a court of law.
- The decisions have statutory status under the Legal Services Authorities Act, 1987.
- Under this Act, the award (decision) made by the Lok Adalats is deemed to be a case of a civil court, final and binding for all parties, and not subject to appeal.
- It has broad powers to devise its procedures, compared to national courts.
- If the parties do not recognise the Lok Adalat (though there is no provision for an appeal against such a prize), they may initiate litigation by approaching the court of appropriate jurisdiction.

Lok Adalat Key Points

- **Constitutional basis**
 - Article 39A of the Constitution provides for free legal aid to the deprived and weaker sections of the society and to promote justice on the base of equal opportunity.
 - Articles 14 of the Constitution also make it compulsory for the State to guarantee equality before the law.
- **Statutory provisions**

- Under the Legal Services Authorities Act, 1987 Lok Adalats have been given statutory status.
- **Final award**
 - The decision made by the Lok Adalats is considered to be a verdict of a civil court and is ultimate and binding on all parties.
- **No appeal**
 - There is no provision for an appeal against the verdict made by Lok Adalat.
 - But, 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.
- **Court fee**
 - There is no court fee payable when a matter is filed in a Lok Adalat.
- **Nature of Cases to be Referred to Lok Adalat:**
 - Any case pending before any court.
 - 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.

Origin of Lok Adalats

- The concept of Lok Adalats was pushed back into oblivion in the last few centuries before independence and particularly during the British regime. Now, this concept has, once again, been rejuvenated. It has become very popular and familiar amongst litigants.
- This is the system, which has deep roots in Indian legal history and its close allegiance to the culture and perception of justice in Indian ethos. Experience has shown that it is one of the very efficient and important

ADR mechanisms and most suited to the Indian environment, culture and societal interests.

- Camps of Lok Adalats were started initially in Gujarat in March 1982 and now it has been extended throughout the Country.
- The evolution of this movement was a part of the strategy to relieve heavy burden on the Courts with pending cases and to give relief to the litigants. The first Lok Adalat was held on March 14, 1982 at Junagadh in Gujarat. Maharashtra commenced the Lok Nyayalaya in 1984.
- The advent of Legal Services Authorities Act, 1987 gave a statutory status to Lok Adalats, pursuant to the constitutional mandate in Article 39-A of the Constitution of India. It contains various provisions for settlement of disputes through Lok Adalat.
- This Act mandates the constitution of legal services authorities to provide free and competent legal services to the weaker sections of the society and to ensure that opportunities for securing justice are not denied to any citizen by reason of economic or other disabilities.
- It also mandates organization of Lok Adalats to ensure that the operation of the legal system promotes justice on the basis of equal opportunity. When statutory recognition had been given to Lok Adalat, it was specifically provided that the award passed by the Lok Adalat formulating the terms of compromise will have the force of decree of a court, which can be executed as a civil court decree.
- The evolution of movement called Lok Adalat was a part of the strategy to relieve heavy burden on the Courts with pending cases and to give relief to the litigants who were in a queue to get justice. It contains various provisions for settlement of disputes through Lok Adalat.
- The parties are not allowed to be represented by the lawyers and encouraged to interact with the judge who

helps in arriving at an amicable settlement. No fee is paid by the parties. Strict rule of Civil Procedural Court and evidence is not applied. Decision is by informal sitting and binding on the parties and no appeal lies against the order of the Lok Adalat.