



## Mains Practice Question

Q Discuss the significance of Lok Adalat as an effective dispute resolution mechanism? (150 words)

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### Approach:

- Give a brief introduction about Lok Adalats.
- Discuss the organization and power structure of Lok Adalats.
- Highlight the benefits of Lok Adalat's as an effective tool to resolve disputes.
- Conclude accordingly.

### Introduction:

- The term '**Lok Adalat**' means '**People's Court**' and is based on Gandhian principles and as per the **Supreme Court**, it is an old form of adjudicating system prevalent in ancient India and its validity has not been taken away even in the modern days too.
- Further, it is one of the components of the **Alternative Dispute Resolution (ADR)** system and delivers informal, cheap and expeditious justice to the common people.
- In view of its growing popularity over time, it was given statutory status under the **Legal Services Authorities Act, 1987**. The Act makes the provisions relating to the organization and functioning of the Lok Adalats.
- With the total number of pending cases in Supreme Court of India are 71,411, Lok Adalat would help in decluttering and removing the pressure from judicial system.

### Body:

- **Organization of Lok Adalat:**
  - The State/District Legal Services Authority or the Supreme Court/High Court/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**.
  - Every Lok Adalat organized for an area **shall consist of such number of serving or retired judicial officers and other persons of the area** as may be specified by the agency organizing.
    - Generally, a **Lok Adalat consists of a judicial officer as the chairman** and a lawyer (advocate) and a social worker as members.
  - **National Legal Services Authority (NALSA)** along with other Legal Services Institutions conducts Lok Adalats.
- **Benefits of Lok Adalat's:**
  - **Affordable:** There is **no court fee and if court fee is already paid the amount will be refunded** if the dispute is settled at Lok Adalat.
  - **Flexible Procedure:** There is **procedural flexibility and speedy trial** of the disputes. There is no strict application of procedural laws while assessing the claim by Lok Adalat.
    - The parties to the dispute **can directly interact with the judge** through their counsel which is not possible in regular courts of law.
  - **Final and Binding Reward:** The award by the Lok Adalat is **binding on the parties and it has the status of a decree of a civil court, and it is non-appealable**, which does

not cause the delay in the settlement of disputes finally.

- **Maintenance of Cordial Relationship:** The main thrust of Lok Adalats is on compromise between parties. While conducting the proceedings, a Lok Adalat **acts as a conciliator and not as an arbitrator**. Its role is to persuade the parties to reach a solution and help in reconciling their contesting differences.
  - This **encourages consensual arrangements**. Therefore, disputes are not only settled but also the cordial relations between parties can be retained. Hence, it is a very healthy way of dispute resolution.

### Conclusion:

- Lok Adalats can be functional at larger levels if people are willing and aware of its advantages. Further, more provisions and innovative utilization is needed that could
- empower permanent Lok Adalats and are made supplementary form of litigation for people who cannot or should not resort to courts.

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