



Lok Adalats

For Prelims: Lok Adalat, NALSA

For Mains: Significance of Lok Adalat and related jurisdiction.

Why in News?

Recently, the Chhattisgarh government had launched [Lok Adalat](#) in jails for the speedy disposal of cases for the prisoners of the state.

- These courts will be held every working Saturday and provide relief to undertrials, and in some cases convicted prisoners, by explaining their rights and legal options such as plea bargaining and settlement.

What is Lok Adalats?

▪ About:

- The term '**Lok Adalat**' means '**People's Court**' and is based on Gandhian principles.
- 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.
- It is one of the components of the [Alternative Dispute Resolution \(ADR\)](#) system and delivers informal, cheap and expeditious justice to the common people.
- The first **Lok Adalat camp was organized in Gujarat in 1982** as a voluntary and conciliatory agency without any statutory backing for its decisions.
- 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.

▪ Organization:

- 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.
 - NALSA was constituted under the **Legal Services Authorities Act, 1987** which came into force **on 9th November 1995** to establish a nationwide uniform network for providing free and competent legal services to the weaker sections of the society.
- The Legal Services Authorities Act, 1987 was **amended in 2002 to provide for the establishment of the Permanent Lok Adalats** to deal with cases pertaining to the

public utility services.

▪ **Jurisdiction:**

- A Lok Adalat shall have **jurisdiction to determine and to arrive at a compromise or settlement** between the parties to a dispute in respect of:
 - Any case pending before any court, or
 - Any matter which falls within the jurisdiction of any court and is not brought before such court.
- Any case pending before the court **can be referred to the Lok Adalat for settlement if:**
 - Parties agree to settle the dispute in the Lok Adalat or one of the parties applies for referral of the case **to the Lok Adalat or court is satisfied that the matter can be solved** by a Lok Adalat.
 - In the case of a pre-litigation dispute, the **matter can be referred to the Lok Adalat on receipt of an application from any one of the parties** to the dispute.
- Matters such as matrimonial/family disputes, criminal (compoundable offenses) cases, land acquisition cases, labor disputes, workmen's compensation cases, bank recovery cases, etc. **are being taken up in Lok Adalats.**
- However, the Lok Adalat shall have no jurisdiction in respect of any case or matter relating to an offense **not compoundable under any law.**

▪ **Powers:**

- The Lok Adalat shall have the same powers as are **vested in a Civil Court under the Code of Civil Procedure (1908).**
- Further, a Lok Adalat shall have the **requisite powers to specify its own procedure for the determination of any dispute** coming before it.
- All proceedings before a Lok Adalat shall be deemed to be **judicial proceedings within the meaning of the Indian Penal Code (1860)** and every Lok Adalat shall be deemed to be a Civil Court for the purpose of the Code of Criminal Procedure (1973).
- An award of a Lok Adalat shall be deemed to be a decree of a Civil Court or an order of any other court.
- Every award made by a Lok Adalat shall be final and binding on all the parties to the dispute. No appeal shall lie to any court against the award of the Lok Adalat.

▪ **Benefits:**

- 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.
- 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.
- 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.

Conclusion

Lok Adalats can be functional at larger levels if people are willing and aware of its advantages. Further, more provisions and innovative utilisation 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.

UPSC Civil Services Examination Previous Year Question (PYQ)

Q. With reference to Lok Adalats, which of the following statements is correct? (2010)

- (a)** Lok Adalats have the jurisdiction to settle the matters at pre-litigative stage and not those matters pending before any court
- (b)** Lok Adalats can deal with matters which are civil and not criminal in nature
- (c)** Every Lok Adalat consists of either serving or retired judicial officers only and not any other person

(d) None of the statements given above is correct

Ans: (d)

Exp:

- **National Legal Services Authority of India (NALSA) along with other Legal Services Institutions conducts Lok Adalats.** Lok Adalat is one of the alternative dispute redressal mechanisms, where disputes or cases pending in the court of law or at a pre-litigation stage are settled or compromised amicably.
- Lok Adalats have been given statutory status under the Legal Services Authorities Act, 1987. The award is final and binding on all parties and no appeal against such an award lies before any court of law.
- Lok Adalats can deal with civil matters as well as criminal matters which are compoundable under any law. They have no jurisdiction in respect of matters relating to divorce or matters relating to an offence not compoundable under any law.
- The Lok Adalat is presided over by a sitting or retired judicial officer as the chairman, with two other members, usually a lawyer and a social worker. **Therefore, option (d) is the correct answer.**

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