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**JOURNAL AND OTHER ARTICLES**

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**LOK ADALAT IN JAMMU AND KASHMIR: AN EMPIRICAL ANALYSIS**

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**NOWSHERA**

**ABSTRACT**

*The present study is based on empirical study of Lok Adalat as one of the forums of Alternative Dispute Resolution in the state of Jammu and Kashmir as a concern to provide the speedy justice to those who are in the law courts for decades together and thereby confused by the formal procedures. This paper is based on an analysis of Lok Adalats by obtaining the views of legal fraternity and litigants. Moreover this paper is an attempt to highlight several lacunas present in the Civil Procedure Code and Jammu and Kashmir Legal Service Authorities Act, 1997, with respect to Lok Adalats, this paper further highlights the potential of the alternative mechanism to serve the society and not merely the court system and to be more attractive and cost effective for the state and the disputants than it is made to be. The paper is concluded with some suggestions based on survey.*

**KEYWORDS**

Alternative Dispute Resolution, Legal Service Authorities, Lok Adalats.

**INTRODUCTION**

The institution of the Lok Adalat is an age old Indian contribution to the world jurisprudence. Lok stands “for the people” and the Adalat means “the Court”. Lok Adalat is as the very name suggests means the Peoples Court. India has a long tradition and history of such method being practiced in the society at gross root level. Panchayat is one of the disputes resolving forum widely practiced wherein justice is dispensed summarily without too much emphasis on legal procedure and technicalities and has proved to be very effective alternative to the litigants, besides Lok Adalat there are other alternative dispute resolutions but Lok Adalat is one of the familiar forum evolved during the course of time in legal jurisprudence and state of Jammu and Kashmir is of no exception.

Lok Adalat means the policy or programme of giving secure legal services to those who are downtrodden, destitute, and illiterate and does not know how to protect their rights on the one hand and on the other it provides speedy justice to those who are in the law courts for decades together. It is because of such wide magnitude and importance that it has established its conspicuous place at the present time. It covers almost all the spheres of the life; the primary role of the Lok Adalat is to provide the amicable and the speedy justice and to facilitate the litigants in assisting the smooth settlement of the disputes.

**LAW IN REFERENCE TO LOK ADALAT IN THE STATE OF JAMMU AND KASHMIR**

In J&K, State Legal Service Authorities Act was enacted in the year 1997, in order to provide free and competent legal service to the weaker sections of the society to ensure their opportunity for securing justice are not deprived of any citizen by reason of economic or other disabilities and to organize Lok Adalat to secure the operation of the legal system, promotes justice on the basis of equal opportunity. The said Act invests the State Authorities, District Authorities, and the High Court or Tehsil Legal Service Committees with powers to organize Lok Adalats in their respective jurisdiction. The courts sometimes or parties themselves refer the pending disputes of compoundable nature to the Lok Adalat's.

**STATEMENT OF THE PROBLEM**

Lok Adalat is one of the forums constituted for resolving disputes by way of settlement amicably and also to provide for speedy and inexpensive justice. The object was to facilitate equal justice to all and to relieve the courts congestion as well as undue cost, delays and to enhance people's involvement in dispute resolution process. But the working of the Lok Adalat is not proper as it is successful only in compensation case.

Moreover there are many loopholes present in the Act. As it is not provided under the Act, that after referring the dispute to Lok Adalat, if the dispute is not settled and in the meanwhile it became time barred, then which alternative remedy is available. Alternative remedy is available under the limitation Act 1963, only when the dispute is referred by the courts, but the Lok Adalats cannot be called as a court in its literal meaning. Moreover Lok Adalat is having power to specify its own procedure for passing interlocutory orders. But this may leave parties sometimes at the whim and excessive discretion of Lok Adalats where parties may be often taken by surprise.

**METHODOLOGY**

In empirical study, Sadar Court Complex of district Srinagar was taken as a sample. The Questionnaires were served to Lawyers, judges and litigants. The questions relevant to the studies were asked.

**HYPOTHESIS**

The researcher carries research with the assumption that Lok Adalats's have not achieved its purpose for which it is organized.

**OBJECTIVES OF THE STUDY**

The Research which is carried at with the following objective:

- To analyze the working of Lok Adalats.
- To identify the grey areas that remains to be addressed, so as to make Lok Adalat's potent enough to deal with the issues for which it is constituted.
- To suggest measures for addressing the grey areas and removing hurdles for the effective working of Lok Adalat's.

**SURVEY**

The institution of the Lok Adalat has been tested by the state judiciary in the state of the J&K since 1991, where there was no statutory basis for it. Before the statutory recognition of Lok Adalats have been confined to the settlement of Motor Accident Claims referred by the concerned tribunals (herein after called MACT) as shown in the Table-1 below.

**TABLE 1: CASES SETTLED IN THE LOK ADALATS IN J&K STATE FROM 1991-1996**

Year	Number of Lok Adalats held	MACT Cases	Compensation awarded in the MACT cases
1991-1996	12	761	680,55,672

Source: Office of the J&K State Legal Service Authority, Srinagar. MACT: motor accident claims Tribunal.

From 1991 besides settling MACT claims by awarding huge compensation the institution has launched its settlement drives in a wide variety of petty criminal matters. The other areas in which the institution has received a meager amount of reference are civil, matrimonial and family dispute and bank cases. There has

been no reference for the settlement of the cases involving revenue, land acquisition and industrial dispute as shown in the Table-2 below. In all the cases reference of dispute has been in respect of pending cases at the initiative of concerned courts and tribunals. One of the reasons behind reference of greater number of pending petty criminal matter and motor accident claims is the involvement of lesser amount if technical and the complex web which is otherwise utilized by the ordinary courts and tribunals for the disposal of such disputes under the legal system, leaving the lesser amount of hostility effects upon the parties which prompts them to lean towards rationality and negotiation. In civil and family disputes comparatively larger involvement of adversarial complexity results in greater amount of hostility which the court finds difficult to remove.

TABLE-2: CASES SETTLED IN LOK ADALATS IN J&amp;K STATE FROM 1991- 1999

Year	No of Lok Adalats Held	MACT cases	MAT cases	Civil cases	PCM	Family Disputes	Bank Cases	Others	Total	Compensation awarded on MACT Cases in Rupees
1997	13	292	49	38	48	-	-	-	427	290,65,189
1998	79	576	156	296	1031	28	13	663	2763	808,85,443
1999	19	106	7	91	808	16	30	-	1058	167,79
Total	123	1753	212	425	1887	44	43	663	5009	194,78,5303

Source: Office of Legal Services Authority, Srinagar.

MAT: Matrimonial, PCM: Petty Criminal Matters, Indus: Industrial,

A survey was conducted to ascertain the functioning of Lok Adalats and the level of satisfaction, awareness about the Lok Adalats. The Sadder Court Complex was taken as a test case. There were hundreds of cases pending before different courts. The cases were of all types, what I observed during the survey are that most of the cases referred to Lok Adalats were of general compensation cases. The cases pertaining to matrimonial rights, property disputes, land acquisition were not very common in Lok Adalats.

A Questionnaire was served to the litigants, lawyers and the judges for giving their views on the pre-set questions.

## LITIGANTS

The Questionnaire was served to 50 respondents randomly. The data revealed that 20% of the respondents are aware about the Lok Adalats but they hesitate to refer their disputes to Lok Adalats, because they don't consider that the awards of the Lok Adalat are binding or effective. Moreover 40% of the litigants are satisfied with the disputes settled by the Lok Adalat and those who are not satisfied complained that it is not known to them when a Lok Adalat is organized and the lawyers are not inclined towards settling their disputes through Lok Adalats. Moreover 80% of the litigants are of opinion that there are insufficient courts to deal with their problems because of hostile components among the disputants demand greater amount of concentration and time of judges which they are unable to provide because of their routine heavy workload. Confidence reposed by the people on Lok Adalat is of 20%.

TABLE -3 A: STATUS OF LITIGANTS WITH RESPECT TO LOK ADALAT

Status	Status of Respondents (n)	Value (%)
Satisfaction level of awards given by the Lok Adalats	50	40%
Awareness about the Lok Adalats		20%
Insufficient Courts		80%
Regularly organizing Lok Adalats		20%

## LAWYERS

The questionnaires were served to 50 Respondents randomly. The data revealed that all the lawyers are aware about the Lok Adalats but they suggested that the concept and mechanism of Lok Adalats should be spread among the general masses. Moreover 40% of the lawyers are satisfied with the awards of Lok adalats. People usually come to court to settle their disputes but a category of the litigants want to delay settlement for one or the other reason and put hurdles in the working of the Lok Adalats also. Therefore 90% are of opinion that the Lok Adalats should be regularly organizing with effective machinery, measures and proper implementation.

TABLE 3 B: STATUS OF THE LAWYERS WITH RESPECT TO THE LOK ADALATS

Status	Respondent (n)	Value (%)
Satisfaction	50	40
Awareness		100
Insufficient Courts		90
Regularly organizing Lok Adalats		90

## JUDGES

The questionnaires were served to 12 judges. The data revealed that the 30% of the respondents are satisfied with the working of the Lok Adalats and those who are not satisfied are of the opinion that there is need of effective machinery and proper implementation of awards of Lok Adalats. Moreover 90% of the judges are of opinion that the general public is not aware about the Lok Adalat as most of the people came to know about Lok Adalats only when they file their dispute and the 90% are of opinion that the courts are not sufficient to deal with number of cases filed by the litigants.

Moreover Judges are of the opinion that the people should be educated about the Lok Adalats, they should not be insisted in settling their disputes through Lok Adalats infact they should refer their case voluntarily. Advocates should also convey to their clients at the first instance about the concept of Lok Adalat.

TABLE 3 C: STATUS OF JUDGES WITH RESPECT TO LOK ADALATS.

Status	Respondents (n)	Value (%)
Level of satisfaction	12	30
Level of awareness among the litigants		90
Insufficient Courts		90
Regularly organizing Lok Adalats		80

## FINDINGS

After the survey, it is concluded that Lok Adalat is successful only in the compensation cases, those people who get benefit are only interested in settling their cases through Lok Adalats. Moreover as per the law there should be consensus between the parties before referring matter to the Lok Adalat but the parties are compelled by the courts sometimes to settle their dispute through Lok Adalats. Most of the people are not aware about Lok Adalat; those who are aware are not satisfied with the system of the Lok Adalat. Though there is a need of regularly organizing Lok Adalats as the Indian Courts are overburdened with the Backlog of cases & the regular cases fall on lengthy, expensive & tedious procedure & courts take years together to settle even a petty matter.

After compilation of all the records the actual result as shown in the Table-4 is as under:



TABLE- 4: STATUS OF LITIGANTS, LAWYERS AND JUDGES WITH RESPECT TO LOK ADALAT

Status	Respondents (n)	Value (%)
Satisfaction	112	36%
Awareness		70%
Insufficient Courts		86%
Regularly Organizing Lok Adalats		63%

- 36% of the respondents are satisfied with the working of Lok Adalat, but the remaining 64% are of the opinion that the J&K Legal Service Authority Act, hesitate to handover the stamp of a Court to the Lok Adalat.
- 70% of the respondents are not aware about the Lok Adalats as an alternative dispute resolution mechanism with a procedural flexibility and speedy trial of disputes. Moreover parties are not aware that there is no court fee if the matter is to be settled through Lok Adalats and the award of the Lok Adalat is binding on the parties.
- 86% of the respondents are of the opinion that there are insufficient courts to deal with the number of cases filed by the litigants as day by day disputes are increasing but the courts are few to deal.
- 63% of the respondents are of the opinion that there is a need to regularly organize Lok Adalats with effective machinery and implementation in Jammu and Kashmir. Lok Adalat is to be hold by the concerned agencies for a long as the timely working of the Lok Adalat has not only to give relief to the litigants but it will relieve the courts from the burden of long pendency of cases. Moreover the parties to the dispute can directly interact with the judge through their counsel which is not possible in regular courts of law.

## CONCLUSION

Lok Adalat is one of the forums of ADR constituted for resolving disputes by way of settlement amicably. It provides speedy & inexpensive justice because Courts take otherwise years to settle even a petty matter. The litigants is often confused by the formal procedure in the courts, to provide effective dispute resolution to facilitate equal justice to relieve the court congestion as well as the undue cost, delays & to enhance the people's involvement in dispute resolution process, the ADR movement has taken birth in India. This was the object to be fulfilled through Lok Adalat, but now Lok Adalat is not fulfilling those reasons behind it. People are now thinking whether justice delivery system has failed us or we have failed justice delivery system, which is to be held responsible. In spite of the law provided in the CPC & in the Legal Service Authorities Act 1997, with respect to Lok Adalats, there is not proper implementation of the law. If we compare the organization & the working of the Lok Adalat of our State with other states then it is not better.

## SUGGESTIONS

The Survey conducted indicated that the system of the Lok Adalat prevalent in the state of J&K is not good. Therefore in order to improve it following suggestions are recommended:-

- 1) In western countries, it is mandatory that the parties are first called to settle their dispute amicably, if any issue is not settled than that is referred to the court but in India disputes are referred after two or three years later of pending before the court to the Lok Adalat. Therefore the researcher suggests that the same procedure should be adopted in our country & for that purpose an amendment should be made in the Civil Procedure Code.
- 2) The researcher argues that in spite of voluntarily provision for referring dispute to Lok Adalat, the parties are compelled to refer the matter to Lok Adalat and that is the violation of law. Therefore the researcher suggests that it should be based on consensus method; therefore there is the need of proper implementation of law.
- 3) The researcher suggests that the Permanent Lok Adalat should be established in the state of J&K.
- 4) The researcher suggests that awareness to the common man about the Lok Adalat should be given at the beginning of filing of the case through counseling centers. Moreover the benefits of the Lok Adalat should be communicated through media which will ultimately compel the people to organize Lok Adalat themselves.
- 5) The researcher suggests that the expertise & judges need to be trained & updated for achieving & maintaining professional excellence. Young lawyers need to be educated about their role in settlement of disputes in Lok Adalats, such as they need to inculcate a habit of resolution & persuasion during the conduct of Lok Adalat. For this purpose legal service Authorities need to make honest & dedicated endeavors instead of making pump & show in the media.
- 6) Judges should not give preference to the quantity of disposal but to the quality of disposal of cases in the interest of justice. This is the main defect observed by our people & the higher judicial & legal fraternity in general in constraining J&K High Court to make an observations taking strong exception to the disposal of cases which have social as well as moral implications such as, offences under Food Adulterations Act which is not compoundable but were made compoundable in Lok Adalats which sends wrong signals in the society & at the same time criminal minded people were petted up to repeat the offence, therefore making penative clauses redundant. Therefore the researcher suggests that the judicial officers need to re-visit the conception of their adjudication of cases in Lok Adalat's. Moreover Courts should also take interest in deciding matter other than compensation matters with justice.

## REFERENCES

1. Jammu and Kashmir Legal Service Authorities Act, 1997.
2. M. Ayub Dar (1999), "Lok Adalat in Jammu and Kashmir: The Process, Practice and problems, *Kashmir university law review*, pp 77.
3. M.G.Chitakra (1993), "Lok adalat and poor". Ashish publishing house, New Delhi, pp 60.
4. N.R.M.Menon (1986), "Lok Adalat: Peoples Programme for Speedy Justice" *Indian Bar Review*, vol 3(2), pp 129-132.
5. S.K. Sarkar (2012), "Law Relating to lok adalat and legal aid". Orient Publishing Company, Allahabad, pp 3-4.
6. The Jammu and Kashmir Legal Service Authorities Rules, 1996.

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