

EXPERIENCE OF INDIA IN DECONGESTING COURTS THROUGH LOK ADALATS

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Abstract:

The Constitution of India pledges to secure to all its citizens justice- social, economic and political. Article 39-A of the Indian Constitution imposes an obligation on the State to ensure that the operation of the legal system in the country promotes justice, on the basis of equal opportunity and also provides for free legal aid by suitable legislation or schemes in any other way to ensure that opportunities for securing justice are not denied to any citizens by reason of economic and other disabilities. It is also the basic human right of every person to get justice within reasonable time. But because of many reasons people in India are not getting justice in courts within reasonable time. Due to increase in inflow of cases courts in India are overburdened. It is not possible by following traditional method to dispose off cases within reasonable time. This method is formal, rigid, costly and time consuming. Problem of delays and expensive litigation has attracted the attention and concern of those connected with the management of the judicial system. There was need to develop some method which could remove all these weaknesses of the formal system. In old times people in India used to get their disputes resolved by the interference of their elders. Taking clue from that an indigenous method has been developed as early as in 1982. This method is given the name of Lok Adalat. Lok Adalats are organised to secure quick justice at cheaper costs. In India where vast majority of people are socially and economically oppressed the institution of Lok Adalats has proved to be a boon. But still there are some issues which need to be improved so that this may help in decongesting the courts in India in an effective way. It is the main purpose of this research work.

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1. Introduction:

The purpose of the society is to provide justice to its people. It is the basic human right of every individual to get justice within reasonable time. The present justice delivery system is inherited from Anglo-Saxon jurisprudence. The natural shortcomings of this system are its formalities and technicalities. Moreover, the system is time consuming and costly. In fact a large number of cases are pending in various courts at different levels. Long pendency frustrates the litigants. Despite spending money and time, the cases seem nowhere near end. In most of the cases, common people keep waiting for justice, many a times merely for the winding up of the case, not for justice. Even if a person wins at the first instance, there is possibility until the end of the limitation time that the opponent would appeal in the next higher court.

Over again there starts the same procedure of appeals, revision, reviews and the end result is either success or defeat of one of the parties, but not satisfactory and just resolution of the dispute. This shakes the belief in the efficiency of judicial dispensation itself. Chief Justice of US Supreme Court John Marshall had once said, "Power of Judiciary lies not in deciding cases, nor in imposing sentences nor in punishing for contempt, but in the trust, faith and confidence of the common man." Hence, everyone involved in dispensation of justice needs to give solemn attention for speedy disposal of cases at the minimum cost.

The courts in India are facing the problem of overburden. This is due to more than one reason. There is more institution of cases than in the past. The judge –population ratio in India is much less than in any other country of the world. The procedure in the courts is rigid, lengthy and more formal. There are many vacancies in the courts from the lower to the highest. All these factors have resulted in the backlog of cases, which has caused docket explosion. For the completion of this research work I have used doctrinal and non doctrinal research method. I have consulted various books, newspapers and web sites.

I have divided this study in four parts. First part is relating to the introduction. The second part shows the problem of congestion in the courts in India. In the third part I have discussed about the Lok Adalats. In this part the origin, concept and functioning of the Lok Adalats is discussed in detail. The benefits of Lok Adalats are highlighted along with the work done by the Lok Adalats since its inception. Fourth part is relating to conclusion and suggestions.

2. Congestion in the Courts:

Courts in India are overburdened. There is more than one reason for the congestion in the courts. These reasons are increased institution of cases, vacancies in courts, lengthy and formal procedure. Over 42 lakh cases are pending in India's 21 High Courts and shocking 2.7 crore cases are pending in lower courts across the country. The figures appear to be quite alarming and surprisingly are growing day by day. The first report below discloses pendency in cases up to December 31, 2011 for Supreme Court and up to September 30, 2010 for High Courts and Lower Courts. The second list reports the state wise record of pending cases.¹ The third report provides statistics on vacancies up to February 1, 2012.

Pending Cases:

Courts		2009	2010	2011
Supreme Court*	Admission	34,976	32,565	33,454
	Regular	20,815	21,997	25,065
	Total	55,791	54,562	58,519
High Courts**		40,60,709	42,17,903	
Lower Courts**		2,72,75,953	2,79,53,070	
Total		3,13,92,453	3,22,25,535	

* Statistics as of December 31, 2011, ** Statistics as of September 30, 2010.

The number of pending cases in Supreme Court had reduced in 2010 from 2009 by 2.2 percent. But in 2011 it again rose. But for both High Courts and Lower courts the number had gone up by 3.8 percent and 2.5 percent respectively.

List of State wise Pending Cases:

Sr.No.	State/Union Territory	High Courts*	Lower Courts*
1	Uttar Pradesh	9,73,599	56,31,993
2	Andhra Pradesh	1,94,691	9,56,448
3	Maharashtra	3,47,618	40,57,973
4	Goa	BHC	29,721
5	Daman & Diu	BHC	2,034

¹ <http://www.supremecourtindia.nic.in/> site last visited on 15.11.2011

6	Dadra and Nagar Haveli	BHC	3,950
7	West Bengal	3,33,763	27,47,170
8	A & N Islands	CHC	15,031
9	Chhattisgarh	56,102	2,70,186
10	Delhi	60,375	9,39,850
11	Gujarat	98,128	22,01,244
12	Assam	53,400	2,51,020
13	Nagaland	GHC	5,080
14	Meghalaya	GHC	12,889
15	Manipur	GHC	8,757
16	Tripura	GHC	57,467
17	Mizoram	GHC	4,415
18	Arunachal Pradesh	GHC	6,348
19	Himachal Pradesh	46,698	1,70,724
20	Jammu & Kashmir	65,905	1,84,656
21	Jharkhand	57,218	2,84,391
22	Karnataka	2,09,843	11,54,526
23	Kerala	1,20,764	9,72,995
24	Lakshadweep	KHC	215
25	Madhya Pradesh	2,13,028	11,59,421
26	Tamil Nadu	4,44,979	12,55,011
27	Puducherry	MHC	27,016
28	Orissa	2,75,052	11,13,844
29	Bihar	1,28,293	15,23,142
30	Punjab	2,37,658	5,72,550
31	Haryana	--	5,65,591
32	Chandigarh	P & H HC	84,668
33	Rajasthan	2,82,826	15,09,066
34	Sikkim	50	1,304
35	Uttrakhand	17,911	1,72,374
	Total	4,217,903	27,953,070

* Statistics as of September 2010, BHC- Bombay High Court, GHC- Guwahati High Court, CHC- Calcutta High Court, KHC- Kerala High Court, P & H HC- Punjab & Haryana High Court

Allahabad High Court has the maximum number of pending cases (9, 73,599 cases) followed by Madras High Court (4, 44,979 cases) and Bombay High Court (3, 47,618 cases).

Sikkim High Court has the lowest number of pending cases (52 cases). At second number from bottom is Uttarakhand High Court having 11,911 pending cases. Uttar Pradesh also tops in the list of pending cases in lower courts at 56, 31,993, followed by Maharashtra at 40, 57,973.

Vacancies in Various Courts:

Court	Post	2010	2011	2012
Supreme Court*	Sanctioned	31	31	31
	Vacant	2	2	5
High Courts*	Sanctioned	895	895	895
	Vacant	287	291	268
Lower Courts**	Sanctioned	17,151	-	-
	Vacant	3,170	-	-

* Statistics as of February 1, 2012, ** Statistics as of September 30, 2010.

Statistics released by the Supreme Court reveal that the number of vacancies in Supreme Court has increased from the last year. But there have been nearly 32.5 percent vacancies in the High Courts for the past two years but in 2012 it has come down to 29.9 percent and in Lower Courts in 2010 there were 18.48 percent vacancies. One of the reasons of the huge backlog of cases is that India is facing alarming shortage of judges. Keeping in mind the pendency of cases in all the courts there is needed to increase the strength of judges in various courts.

Problem of delays and expensive litigation has attracted the attention and concern of several legal luminaries of the country, those connected with the management of the judicial system and of various committees and commissions appointed for the purpose. Law Commission of India in its various reports, have considered this problem in all aspects and have suggested several remedial measures. Some procedural changes like section 89 of the Civil Procedure Code, 1908 have been made and other developments in the working of the system have also been introduced. The justice delivery system in India is also experiencing a gradual evolutionary change. The traditional adversarial approach is giving way to the cooperative methods.

3. Lok Adalats:

The expression Lok Adalat comprises two words, namely, 'lok' and 'adalat', the former expressing the concept of public opinion while the latter denoting the accurate and through deliberation aspect of decision making. In simple terms, this refers to a forum for settlement of disputes, employing ADR techniques, such as Negotiation, Conciliation, and Mediation etc. It is a forum which ensures easier access to justice for the poor. It enables speedy disposal of cases through settlement between parties, supervised by a body of legally competent personalities.

The term 'Lok Adalat' literally means peoples' court, but it is not a court in real sense. It is basically a statutory forum for conciliatory settlement of legal disputes. The concept of Lok Adalats was pressed back into unconsciousness in last few centuries before independence and particularly during the British regime. Now, this concept has, once again, been revived. It has, once again, become very popular and familiar amongst litigants. This is the system which has deep roots in Indian legal history and its close loyalty to the culture and perception of justice in Indian philosophy.

The Government of India thought it necessary to provide a new forum and procedure for resolving international and domestic disputes quickly. In a conference held in New Delhi on 4th December 1993 under the chairmanship of Prime Minister of India and presided over by the Chief Justice of India, the following resolution was adopted by the Chief Ministers and Chief Justice of States in India:

“The Chief Ministers and Chief Justices were of the opinion that courts were not in a position to bear the entire burden of justice system and that a number of disputes lent themselves to resolution by alternative modes such as arbitration, mediation and negotiation. They emphasized the desirability of disputants taking advantage of alternative dispute resolution which provided procedural flexibility, saved valuable time and money and avoided the stress of a conventional trial.”

Conflicts have always been the part of all cultures, religions and societies since time immemorial. Yet all cultures believe that it is best to resolve disputes and to reach an agreed end to them, because conflict is a negative force. India has had a long history of resolving disputes

through the mediation of village elders. The system of Lok Adalats is an improvement on that and is based on Gandhian principles.

3.1 Emergence of Lok Adalats:

The Lok Adalats have originated from the collapse of the conventional legal system to provide effective, fast, and inexpensive justice. The late Justice Thakkar could not bear the sight of waiting and begging workers, widows, landless labourers, Dalits or Adivasis cherishing hope for justice howsoever faint it could be. The first Lok Adalat was held in Junagadh with great preparation and remarkable simplicity. It was a great success and the idea picked up and led to a number of Lok Adalats with the help of a select and sensitised group of advocates and at different places.²

Constitutional 42nd Amendment Act of 1976, incorporated Article 39-A in the Constitution of India for providing free legal aid. In the light of this amendment the Government of India by a resolution dated September 26, 1980 constituted a committee known as 'Committee for Implementing Legal Aid Scheme' under the Chairmanship of Mr. Justice P. N. Bhagwati to monitor and implement legal aid programmes on a uniform basis in all the States and Union Territories throughout the country and pursuant thereto several Legal Aid and Advice Boards were set up in all the States and UTs of India. The constitution of the 'Committee for the Implementation of Legal Aid Schemes' (CILAS) in 1980 was a major step in institutionalizing legal aid. Legal Aid is not confined to representation before court but also includes Legal Literacy and mechanism for providing justice at pre-litigation stage also by giving advice, providing a forum for Conciliation and Mediation and also by approaching the authorities concerned.

One of the strategic legal aid programmes adopted by the Committee pertains to holding of Lok Adalats for settlement of disputes through conciliation. The Lok Adalats are an innovative form of voluntary efforts for amicable settlement of disputes between the parties. Camps of Lok Adalats were started initially in Gujarat in March, 1982. The first Lok Adalat was held on March 14, 1982 at Junagarh in Gujarat and now it has been extended through out the country. Initially, Lok Adalats functioned as a voluntary and conciliatory agency without any statutory backing for its decisions³. At Lok Adalats parties are given an opportunity to resolve

² Girish patel, Access to Justice- Crippling Lok Adalats, <http://www.indiatogether.org/2007/dec/hrt-adalat.htm>

³ The Statement of Objects and Reasons of Legal Services Authorities Act, 1987

the dispute amicably at the least cost. 'Access to Justice' means an ability to participate in the judicial process.⁴

3.2 Legal Machinery of the Lok Adalats:

The Indian Legislature made progress by enacting the Legal Services Authorities Act, 1987 by constituting the National Legal Services Authority as a Central Authority with the Chief Justice of India as its patron in chief. By the enactment of the Legal Services Authorities Act, 1987, which came into force from November 9, 1995, the institution of Lok Adalats received statutory status. The Legal Services Authorities Act, 1987 has been enacted by the Parliament to give effect to the constitutional mandate under Article 39-A for providing access to justice to all by providing suitable legal aid.

The Legal Services Authorities Act, 1987, displaced the 'CILAS' and introduced a hierarchy of judicial and administrative agencies. The Legal Services Authorities Act began to be enforced eight years later, under the directions of the Supreme Court. It led to the constitution of the National Legal Services Authority (NALSA) at the Centre and a State Legal Services Authority in the States to give effect to its directions. The Central Authority has been vested with several duties to perform. Among others the central authority has the duty (1) to encourage the settlement of disputes by way of negotiations, arbitration and conciliation. (2) To lay down policies and principles for making legal services available in the conduct of any case before the court, any authority or tribunal. (3) To frame most effective and economical schemes for the purpose.

One of the aims for the enactment of this Act was to organize Lok Adalat to secure that the operation of legal system promotes justice on the basis of an equal opportunity. The Act gives statutory recognition to the resolution of disputes by compromise and settlement by the Lok Adalats. The Legal Services Authorities Act, 1987 has been enacted with view to provide legal aid to the needy and also to supplement justice delivery by methods of mediation and conciliation as ADR systems, both court annexed and court referred.

Chapter VI of the Legal Services Authorities Act (sections 19-23) deals with Lok Adalats. Under the Legal Services Authorities Act, 1987, following three types of authorities are constituted:

⁴ Upendra Baxi, "Access, Development and Distributive Justice-Access Problems of the Rural Population", JIL Vol. 18, July- Sep 1976, No. 3 at p.376.

- i) National Legal Services Authority or Central Authority⁵.
- ii) State Legal Services Authority or State Authority.⁶
- iii) District Legal Services Authority or District Authority⁷.

The Central authority constitutes a committee to be called Supreme Court Legal Services Committee.⁸ The State Authority constitutes a committee to be called the High Court Legal Services Committee⁹ and the District Authority constitutes a committee to be called the Taluk Legal Services Committee¹⁰ for the purpose of exercising such powers and performing such functions as may be determined by the respective constituting authorities.

Lok Adalats are organized in an ad-hoc manner by every State Legal Services Authority or District Legal Services Authority or the Supreme Court Legal Services Committee or every High Court Legal Services Committee or Taluk Legal Services Committee at such intervals and places as it thinks fit.¹¹ Usually they are organized temporarily for a single day either in the traditional court premises or in other public or private places. A Lok Adalat bench is to consist of serving or retired judicial officers and other persons. The number of members is to be determined by the organizing Authority.¹² Generally, a 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. There is no court fee. If the case is already filed in the regular court, the fee paid will be refunded if the dispute is settled at the Lok Adalat. The procedural laws and the Evidence Act are not strictly followed while assessing the merits of the claim by the Lok Adalat.

The qualification and experience of members drawn from other fields of life have to be prescribed, where the Lok Adalat is organized by the Supreme Court Legal Services Committee, by the Central Government in consultation with the Chief Justice of India.¹³ In other cases it has to be done by the state government in consultation with the Chief Justice of the High Courts.¹⁴

⁵ Legal Services Authorities Act, 1987, Section 3(1)

⁶ Id, Section 6(1)

⁷ Id, Section 9(1)

⁸ Id, Section 3A

⁹ Id, Section 8A

¹⁰ Id, Section 11A

¹¹ Id, Section 19(1)

¹² Id, Section 19(2)

¹³ Id, Section 19 (3)

¹⁴ Id, Section 19 (4)

The Lok Adalats have the jurisdiction to determine and to arrive at a compromise or settlement between the parties to a dispute in respect of any cases pending before any court or any matters which are at pre-litigative stage.¹⁵ The court refers the case to the Lok Adalat if both the parties agree or if one of the parties thereof makes an application to the court for referring the case to the Lok Adalat for settlement and the court is prima facie satisfied that there are chances of such settlement.¹⁶ The court can also refer a case suo motu, if the court thinks it an appropriate one.¹⁷ Provided no case shall be referred to the Lok Adalat under Sec.20(1) (i) (b) or Sec.20(1) (ii) by such court except after giving a reasonable opportunity of being heard to the parties. The Authority or Committee organizing the Lok Adalat can also refer a matter to the Lok Adalat for determination if it receives an application from any of the parties to pre-litigative matter.¹⁸ Its process is voluntary and works on the principle that both parties to the disputes are willing to sort out their disputes by amicable solutions. Through this mechanism, disputes can be settled in a simpler, quicker and cost-effective way at all the three stages i.e. pre-litigation, pending-litigation and post-litigation.

3.3 Functioning of Lok Adalats:

Lok Adalats can take cognizance of matters involving not only those persons who are entitled to avail free legal services but of all other persons also, be they women, men or children and even institutions. The focus in Lok Adalats is on compromise. Where a reference has been made to a Lok Adalat, it becomes charged with the responsibility of proceeding to dispose of the case and arrive at a compromise or settlement between the parties. It has to do it with utmost expedition. In this respect, the Lok Adalat has to proceed taking guidance from principles of justice, equity, fair play and other legal principles.¹⁹

At the first civil, revenue and criminal disputes, which were compoundable, were taken up by the Lok Adalats. After the success of Lok Adalats in bringing about settlement of such disputes, motor accidents compensation claims cases where the injured

¹⁵ Id, Section 19 (5)

¹⁶ Id, Section 20 (1) (i)

¹⁷ Id, Section 20 (1) (ii)

¹⁸ Id, Section 20 (2)

¹⁹ Id, Section 20 (4)

or the dependants of the person deceased in the accident have applied for compensation are also being taken up by the Lok Adalats. This forum was made available for settlement of Motor Third Party claims under the initiative of former Chief Justice of India, Shri. P. N. Bhagwati. Lok Adalat now is playing sole role in solving disputes and settling MACT (Motor Accident Claims Tribunal) cases. The increase in cases in Motor Accident Claim Tribunal (MACT) and backlog of pending cases pressed the insurer and the judicial system to think about the quick disposal oriented system like Lok Adalat/Conciliatory forums should be utilized to optimum level.

This is the expeditious method to settle large number of MACT claims. It has become a Dispute Management Institution. It is an informal system of dispute resolution. This has resulted in settlement of a large number of cases long pending before the Motor Accident Claims Tribunals, which would have otherwise taken years for adjudication. Undue delay in settlement of Motor Accident Compensation claims in most of the cases defeats the very core of the purpose. It is in this area that Lok Adalat is rendering very useful service to the needy. It is not merely the question of payment, the time and expense factor and saving the victim families from harassment involved in execution and appeal proceedings are of considerable importance.

Land Acquisition cases where the applications have been made to the government claiming compensation, cases for or against local bodies such as Town Municipality, the Panchayat, the Electricity Board and the like, Cases involving commercial banks, Matrimonial or Maintenance cases, Criminal cases which are compoundable as per law, Cases pending in the Labour Courts, Cases before Workmen's Compensation Commissioner, Cases pertaining to consumer grievances are settled by the Lok Adalats. Any cases pending in the High Court or any other court that can be compromised as per law can be settled by the Lok Adalat. Apart from this, even disputes that have not been brought on the records of courts can be settled amicably by the Lok Adalat.

Simple categories of pending cases before the Services Tribunals may be handled at the Lok Adalats. These categories include cases in which facts are undisputed and relief is confined to payment of pensionary benefits, fixation of pay and payment of arrears, where impugned order is based on excommunicated or expunged adverse entries or against which representations made remained undisputed and in cases in which points involved are simple and clear.

But the Lok Adalats have no jurisdiction in respect of any cases or matters relating to any offences, which are not compoundable under the provisions of any law. Cases relating to economic offences are kept out of its purview. Cases under Prevention of Food Adulteration Act, NDPS Act, the cases relating to atrocities against the women and the members of Schedule Castes and Schedule Tribes are not to be ordinarily taken for special reasons. These types of cases are to be taken only after approval of the executive chairman of the respective commissions.

The Lok Adalats have the widest possible jurisdiction in the sense that it can deal with any matter, whatever be its legal character and in whatever court or tribunal it might be pending including the highest, if only the parties wish to avail of its services. A variety of disputes are capable of resolution through Lok Adalats, however they are particularly effective in the settlement of financial claims. Nationalized banks frequently use Lok Adalats to recover debts from their defaulting borrowers.

3.4 Consent of Parties:

The most significant feature to be considered while deciding the cases at the Lok Adalat is the consent of both the parties. If a compromise is reached and an award is made, it is binding on the parties. It is enforced as a decree of a civil court. An important aspect is that the award is final and cannot be appealed, not even under Article 226 because it is a judgement by consent. In *Punjab National Bank v. Lakshmidhand Rai*²⁰, an appeal was filed under S. 96 of the Code of Civil Procedure against the award made by a Lok Adalat. The question before the court was whether such an appeal is maintainable. So in this case it was iterated that “an appeal would not lie under the provisions of Section 96 C.P.C. Lok Adalat is conducted under an independent enactment and once the award is made by Lok Adalat the right of appeal shall be governed by the Legal Services Authority Act.” It has been specifically mentioned in S. 21(2) that no appeal shall lie against an order of a Lok Adalat.

When the Lok Adalat is not able to arrive at a settlement or compromise no award is made and the case record is returned to the court from which the reference was received for disposal in accordance with law.²¹ Lok Adalats have no adjudicatory or judicial functions. Their functions are mainly relating to the conciliation. Lok Adalats are judicial bodies set up for

²⁰ AIR 2000 MP 301

²¹ Legal Services Authorities Act, 1987, Section 20 (5)

the purpose of facilitating peaceful resolution of disputes between the litigating parties. They have the powers of an ordinary civil court, like summoning witnesses and enforcing their attendance and examining them on oath; discovery and production of any documents; the reception of evidence on affidavits etc. The Lok Adalat can call for any public documents from any public office or courts.²² No Lok Adalat has the power to 'hear' parties to adjudicate cases as a court does. It discusses the subject matter with the parties and persuades them to arrive at a just settlement. In their conciliatory role, the Lok Adalats are guided by the principles of justice, equity and good conscience.

3.5 Benefits of Lok Adalats:

Lok Adalats now a day have proved to be very beneficial for the speedy justice. It has many benefits which are as under:

- a) Decisions of Lok Adalats are quick, inexpensive and free from legal hassles.
- b) Settlement through Lok Adalat has the same force as it is originally decided by a civil court. Award of the Lok Adalats is final and no appeal shall lie against such award.
- c) Disputes come to an end for ever. The decision of the Lok Adalat is binding on the parties to the dispute. No appeal lies against the order of the Lok Adalat whereas in the regular law courts there is always a scope to appeal to the higher forum on the decision of the trial court, which causes delay in the settlement of the dispute finally. The reason being that in a regular court, decision is that of the court but in Lok Adalat it is mutual settlement and hence no case for appeal will arise.
- d) There is no court fee and even if the case is already filed in the regular court, the fee paid will be refunded if the dispute is settled at the Lok Adalat.
- e) In case the award is not honoured by a party concerned, it can be executed through a court of law.
- f) There is no strict application of the procedural laws and the Evidence Act while assessing the merits of the claim by the Lok Adalat. The parties to the disputes though represented by their advocate can interact with the Lok Adalat judge directly and explain their stand in the dispute and the reasons therefore, which is not possible in a regular court of law.

²². Id, Section 22(1)

g) Disputes can be brought before the Lok Adalat directly instead of going to a regular court first and then to the Lok Adalat.

In every respect the scheme of Lok Adalat is a boon to the litigant public, where they can get their disputes settled fast and free of cost. They get faster and inexpensive remedy with legal status. Success of Lok Adalats in India can be judged from the number of cases settled by the Lok Adalats in all the States. The difference between the work done by Lok Adalats and the regular courts becomes much more marked if one takes into account the number of cases settled at various Lok Adalats and compares them to the corresponding figures for those decided by regular courts. The table below shows the number of Lok Adalats held in all the States till 30th November 2011 from its inception, number of MACT (Motor Accidents Claims Tribunal) cases settled, number of total cases settled and compensation awarded in MACT cases:

State/Union Territory	No. of Lok Adalats held	No. of MACT Cases Settled	No. of Cases Settled (inclu. MACT Cases)	Compensation awarded in MACT Cases (in Rs.)
Andhra Pradesh	1,59,110	1,12,169	14,31,481	9,93,71,01,396
Arunachal Pradesh	481	549	4,925	3,01,37,176
Assam	3,976	22,869	2,47,406	1,26,75,88,835
Bihar	20550	120135	8,25,871	93,89,46,619
Chhattisgarh	9365	8329	81072	759240532
Goa	658	5206	8004	306091648
Gujarat	113239	182344	6864186	10739579473
Haryana	13954	34868	1165674	3289016583
Himachal Pradesh	5614	5414	93014	422908879
Jammu & Kashmir	3365	8527	119594	1609457800
Jharkhand	18166	3487	147598	489116740
Karnataka	76463	132589	1298306	6250538966
Kerala	23722	121157	285533	5064256058
Madhya Pradesh	33645	121096	3022786	9227305797
Maharashtra	32375	82614	1173676	9615545572
Manipur	43	1170	1185	57221500
Meghalaya	109	926	6157	110729186
Mizoram	1268	240	1272	6094080

Nagaland	99	1049	1648	109098322
Orissa	12099	44128	4067482	3002792997
Punjab	18964	16889	999956	1472283274
Rajasthan	112633	598919	2365331	5373836690
Sikkim	1068	160	4008	9101000
Tamil Nadu	244675	154380	547320	14513720409
Tripura	568	3103	23756	67753578
Uttar Pradesh	37934	72431	8223824	5742022194
Uttrakhand	1209	4121	241993	442574460
West Bengal	17873	34271	193645	2454330542
And. & Nico. Islands	158	24	1789	3736468
U.T. Chandigarh	6145	17842	192396	1221173175
D & Nagar Haveli	12	119	1781	12007699
Daman & Diu	8	61	135	3099000
Delhi	10937	19287	589464	3048379536
Lakshadweep	73	11	131	435000
Puducherry	854	7967	28958	284499244
SCLSC	6	44	179	--
Total	981418	1938495	34261536	97881720428

The efforts of the Punjab Legal Services Authority (PLSA) in resolving disputes through innovative methods have not gone unnoticed. The Union government has asked to all the states to follow Punjab's example in successful usage of Alternate Dispute Redressal (ADR) mechanism to deal high number of consumer cases²³. Even the International Labour Organization (ILO) has appreciated the Punjab experience in Alternate Dispute Redressal of Labour dispute cases.

At an ILO conference in Manesar (Haryana) in 2005 representatives of eight countries decided to study the Punjab experience in detail and then to suggest their respective governments to implement the same. The ILO has also sought details from the Punjab Government on the mechanism, adopted by the Lok Adalats in settling Labour disputes out of court and that too in a matter of hours.²⁴

²³ Article by Maneesh Chibber, published in the Tribune dated March 4, 2006

²⁴ <http://www.tribuneindia.com/2006/20060304/saturday/main1.htm>

4. Conclusion and Suggestions:

The present study reveals that over a period of time Lok Adalat has become a time-tested method of alternative dispute resolution mechanism, adapting the essence of the Panchayati system of dispute resolution, which prevailed in the Indian villages. This concept is, now, very popular and is gaining historical momentum. Experience has shown that it is one of the very efficient and important ADR and most suited to the Indian environment, culture and societal interests.

The study points out that in Lok Adalats, justice has fallen victim to the desire for the speedy resolution. Instead of trying genuine compromise, in some cases Lok Adalats try to force an adjudicatory decision upon unwilling litigants. The right to fair hearing, which is one of the basic principles of natural justice, is denied to the people. Many sitting and retired judges while participating in Lok Adalats as members, tend to conduct the Lok Adalats like courts, by hearing parties and by imposing their views as to what is just and equitable on the parties. Sometimes they get carried away and proceed to pass order on merits even though there is no consensus or settlement. The presiding officers should resist from the practice of making adjudicatory decisions in the lok adalats. Such acts instead of fostering alternative dispute resolution through Lok Adalats will drive the litigants away from the Lok Adalats. The study stresses that the people in India should take resort to the lok adalats to get their disputes settled in an indigenous way.