



Alternative Dispute Resolution in India: The Role and Relevance of Lok Adalats

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ABSTRACT

Alternative Dispute Resolution (ADR) has emerged as a cornerstone of India's justice delivery system, addressing the persistent challenges of backlog, procedural delays, and inaccessibility within the formal courts. Among the various ADR mechanisms, Lok Adalats (People's Courts), established under the Legal Services Authorities Act, 1987, have acquired a distinctive place due to their emphasis on conciliation, compromise, and participatory justice. The institution of Lok Adalats reflects the constitutional mandate under Articles 39A and 14 to promote equal access to justice and ensure fairness in dispute resolution. This paper examines the role and relevance of Lok Adalats in contemporary India, focusing on their contribution to expeditious and cost-effective settlement of disputes, particularly for marginalized sections of society. It examines the functioning of Lok Adalats at various levels—national, state, district, and taluka—while evaluating their effectiveness in addressing civil, matrimonial, and compoundable criminal matters. The study highlights both the strengths of Lok Adalats, such as their informality, reduced costs, and amicable settlements, as well as their limitations, including concerns regarding enforceability, lack of awareness, and instances of coercive compromises. By drawing on statutory provisions, judicial pronouncements, and empirical insights, the paper underscores the significance of Lok Adalats in advancing the goals of social justice while suggesting reforms to enhance their credibility, transparency, and efficiency. Ultimately, Lok Adalats exemplify a uniquely Indian model of ADR that balances tradition with modern legal frameworks, thereby reinforcing the constitutional vision of accessible and inclusive justice.

KEYWORDS

Alternative Dispute Resolution, Lok Adalat, Access to Justice, Legal Services Authorities Act, Social Justice

Introduction

Alternative Dispute Resolution (ADR) procedures have turned out to be an integral component of the Indian system of justice delivery, providing adaptable, participatory, and economical means of settling disputes outside the conventional courtroom system. Of the many ADR systems, Lok Adalats—"People's Courts"—are particularly popular for their reach and informal character. Set up under the Legal Services Authorities Act, 1987, Lok Adalats aim to deliver speedy justice by way of conciliation and compromise, particularly to the weaker and marginalized members of society.¹

The idea of Lok Adalat is borrowed from ancient Indian customs of community-based dispute resolution, in which village elders or senior members of society resolved disputes amicably.² This age-old wisdom has been put into place to accommodate modern legal requirements so that justice not only becomes speedy but fair as well. The defining feature of Lok Adalats is that they do not adhere to strict procedural legislation or the rules of evidence, facilitating a freer and more human-oriented process of resolving disputes.³

Lok Adalats are a direct contribution towards meeting the constitutional promise of access to justice guaranteed under Article 39A of the Indian Constitution that instructs the State to see that legal systems encourage justice on the principles of equal opportunity.⁴ Through the provision of free legal assistance, expeditious disposal of cases, and reduction of legal formalities, Lok Adalats cover the divide between the formal legal system and the commoner. Their awards are final, binding on the parties, and enforceable as a decree of a civil court.⁵, and thus are an important instrument in encouraging justice and minimizing the burden on regular courts.

Evolution of ADR and Lok Adalats in India

The alternative dispute resolution (ADR) concept in India is not new, but it has very deep historical roots in the socio-legal traditions of India. The earliest history of ADR is traceable in ancient India, where the village council or panchayat used to settle disputes by discussion and consensus. This was an informal system that was concerned with reconciliation and aimed at preserving social

¹ Legal Services Authorities Act, 1987, S 19.

² Galanter, Marc. "Justice in Many Rooms: Courts, Private Ordering, and Indigenous Law." *Journal of Legal Pluralism*, 1981.

³ Ministry of Law and Justice, *Handbook on Lok Adalats*, Government of India, 2021.

⁴ The Constitution of India, art. 39A

⁵ Legal Services Authorities Act, 1987, S 21.

harmony and not punishment.⁶ These ancient institutions functioned well for centuries and were the foundation for community-level justice that was both accessible and revered by the masses.

After the arrival of colonial domination and the establishment of the formal judicial system by the British, these traditional systems were relegated to the sidelines. The British courts gave importance to codified law and formal procedures, which tended to be costly, time-consuming, and inaccessible to the masses.⁷ But the limitations of the formal court system, particularly in delay, cost, and pendency of cases, increasingly underscored the need to revive informal and conciliatory approaches to resolving disputes.

After independence, India started reconsidering and modernizing its justice delivery systems to provide greater access to justice. The addition of Article 39A in the Constitution of India as part of the 42nd Amendment in 1976 was a constitutional promise to make legal aid free and deliver justice on the principle of equal opportunity.⁸ This provided a basis for institutionalizing ADR systems, such as Lok Adalats.

The first organized Lok Adalat was held in Gujarat in 1982, and it received immense public support due to its success in disposing of a large number of cases quickly and amicably.⁹ Recognizing its potential, other states followed suit. In 1987, the Parliament enacted the Legal Services Authorities Act, which came into force in 1995. The Act gave statutory status to Lok Adalats and formalized their structure and functioning.¹⁰

Under this system, Lok Adalats were set up at the national, state, district, and taluka levels. Section 19 of the Act makes provisions for the constitution of Lok Adalats by the Legal Services Authorities from time to time to resolve disputes by settlement or compromise.¹¹ Section 21 of the Act provides that the award given by a Lok Adalat is considered to be a decree of a civil court and is final and binding on all concerned, and no appeal can be made against it.¹²

Over the years, different types of Lok Adalats have developed, such as National Lok Adalats, Permanent Lok Adalats for public utility services under Chapter VI-A of the Act, and Mobile Lok

⁶ Derrett, J. Duncan M. *Religion, Law, and the State in India*. Faber & Faber, 1968.

⁷ Galanter, Marc. "Justice in Many Rooms: Courts, Private Ordering, and Indigenous Law." *Journal of Legal Pluralism*, 1981.

⁸ The Constitution of India, art. 39A, inserted by the Constitution (42nd Amendment) Act, 1976.

⁹ Baxi, Upendra. "Crisis of the Indian Legal System." *Vikas Publishing House*, 1982

¹⁰ Legal Services Authorities Act, 1987 (Act No. 39 of 1987).

¹¹ *Ibid*, S19.

¹² *Ibid*, S21.

Adalats that go to the far-flung places and resolve the matters there.¹³ These developments have helped immensely in improving access to justice and alleviating the overload of regular courts.

The development of ADR and Lok Adalats in India is a departure towards an inclusive and participative legal system. With the combination of traditional wisdom and contemporary legal principles, India has created an innovative model of dispute resolution that, besides resolving disputes in a cost-effective manner, enforces democratic ideals of justice, equity, and participation.

Statutory Framework of Lok Adalats in India

Statutory provisions applicable to Lok Adalats in India are mainly enshrined under the Legal Services Authorities Act, 1987. This Act came into force with an aim to render free and effective legal services to the weaker sections of society so that access to opportunities for obtaining justice is not denied to them because of economic or other reasons. It also hopes to encourage resolution of disputes through ADR mechanisms, more specifically through the process of Lok Adalats.¹⁴

1. Legal Services Authorities Act, 1987

The Legal Services Authorities Act, 1987 (referred to as "the Act" hereinafter) became effective in its entirety on 9th November 1995. It creates a complete scheme for the setting up, composition, powers, and operation of Legal Services Authorities and Lok Adalats at different levels—national, state, district, and taluka.¹⁵

(a) Section 6 to Section 11 – Legal Services Authorities

These articles make provision for the constitution of the National Legal Services Authority (NALSA), State Legal Services Authorities (SLSA), District Legal Services Authorities (DLSA), and Taluk Legal Services Committees (TLSC). These authorities are tasked with arranging Lok Adalats and legal awareness and legal aid at the masses' level.¹⁶

(b) Section 19 – Organization of Lok Adalats

Section 19 authorizes each Legal Services Authority to hold Lok Adalats at regular intervals for disposing of pending or pre-litigation cases. Such Lok Adalats could be composed of serving or

¹³ National Legal Services Authority (NALSA), *Handbook on Legal Services and Lok Adalats*, 2021.

¹⁴ Statement of Objects and Reasons, *Legal Services Authorities Act, 1987*

¹⁵ Legal Services Authorities Act, 1987, came into force on 9th November 1995, via Notification No. S.O. 893(E), Ministry of Law and Justice.

¹⁶ Legal Services Authorities Act, 1987, SS 6–11.

retired judicial officers, and other individuals as specified by the authority, such as legal professionals and social workers.¹⁷

(c) Section 20 – Cognizance by Lok Adalats

Section 20 prescribes the process of referring cases to Lok Adalats. A case can be referred to the Lok Adalat by mutual consent of the parties, by one party with notice to the other, or by the court if it discovers elements of settlement. The case could be pending before a court or even at a pre-litigation stage.¹⁸

(d) Section 21 – Award of Lok Adalats

The award of a Lok Adalat is deemed to be a decree of a civil court and is final and binding on all the parties. No appeal lies against such an award, which enhances its finality and enforceability. However, if parties do not reach a settlement, the case is returned to the court of original jurisdiction.¹⁹

(e) Section 22B to Section 22E – Permanent Lok Adalats (PLAs)

Enacted by the Legal Services Authorities (Amendment) Act, 2002, these sections make provision for setting up Permanent Lok Adalats (PLAs) to settle disputes relating to "public utility services" like transport, postal services, and telecommunication. The distinguishing feature of PLAs is that they can decide disputes on merit if parties are unable to settle their disputes through conciliation.²⁰

2. Public Utility Services and PLAs

Section 22A defines the phrase "public utility service" and includes transport, postal services, and the supply of power, water, and sanitation. PLAs can adjudicate in these areas, subject to monetary thresholds as notified by the Central Government (currently ₹1 crore in most situations)²¹.

Types and Jurisdiction of Lok Adalats

Lok Adalats, as institutionalized under the Legal Services Authorities Act, 1987, serve the important purpose of offering alternative dispute resolution forums that are accessible, cost-effective, and time-saving. Through the years, different models of Lok Adalats have emerged to

¹⁷ Ibid, S19.

¹⁸ Ibid, S20.

¹⁹ Ibid, S21.

²⁰ Legal Services Authorities (Amendment) Act, 2002, inserting Chapter VI-A, §§22A–22E.

²¹ Legal Services Authorities Act, 1987, S 22A; See also: Government of India Notification No. S.O. 193(E), dated 20.02.2015.

address different types of legal disputes and population demands. Each model is provided with certain jurisdiction and procedural standards to ensure that justice percolates to all sections of society.

1. Categories of Lok Adalats

(a) National Lok Adalats

National Lok Adalats are conducted on a single day throughout the country, at all stages of the judiciary—Supreme Court, High Courts, District Courts, and Taluka Courts—to settle pending and pre-litigation cases in large numbers in bulk. These are conducted under the supervision of the National Legal Services Authority (NALSA). Thematic National Lok Adalats are held periodically on specific types of cases such as motor accident claims, matrimonial disputes, and bank recovery cases.²²

(b) Permanent Lok Adalats (PLAs)

Enacted by way of the Legal Services Authorities (Amendment) Act, 2002, Permanent Lok Adalats are constituted under Section 22B of the Act to settle disputes relating to "public utility services" such as transport, postal services, and water supply.²³ One of the essential differences of PLAs is that they are authorized to resolve a dispute on merits in case of failure of conciliation, whereas ordinary Lok Adalats are not allowed to dispose of cases if parties do not agree upon a settlement.²⁴

The grant of a PLA is final and binding and is considered to be a decree of a civil court. There is no appeal against the award, although parties can ask for judicial review under Article 226 of the Constitution in suitable cases.²⁵

(c) Mobile Lok Adalats

Mobile Lok Adalats are conducted by different State Legal Services Authorities in order to cover far-flung and rural areas lacking legal infrastructure. These Lok Adalats go from village to village and settle disputes at the spot by compromise and settlement. They are particularly useful in settling land disputes, petty criminal cases, and village-level civil cases.²⁶

²² National Legal Services Authority (NALSA), *NALSA Guidelines for Organising Lok Adalats*, 2021.

²³ Legal Services Authorities Act, 1987, S 22B.

²⁴ *Ibid.*, S 22C (8).

²⁵ *Union of India v. D.K. Vohra*, AIR 2004 Del 212

²⁶ Ministry of Law and Justice, *Annual Report of the Department of Justice*, 2020–21.

(d) Mega Lok Adalats

Mega Lok Adalats are statewide, single-day, large-scale campaigns to dispose of enormous loads of cases. All courts of a state act at the same time. These are usually followed by huge pre-awareness campaigns and legal aid clinics to ensure the maximum turnout.²⁷

2. Jurisdiction of Lok Adalats

(a) Subject-Matter Jurisdiction

Lok Adalats possess jurisdiction to resolve both pending and pre-litigation cases relating to civil and compoundable criminal cases. The following types of disputes can be addressed by Lok Adalats.²⁸:

- Matrimonial and family disputes
- Motor accident claims (under the Motor Vehicles Act)
- Labour disputes
- Land acquisition and compensation issues
- Utility bill disputes (except non-compoundable offenses)
- Bank recovery cases
- Cheque bounce cases under Section 138 of the Negotiable Instruments Act

Significantly, Lok Adalats do not exercise jurisdiction over non-compoundable criminal offenses or serious criminal allegations cases because such cases need formal adjudication and penal sanctions.²⁹

(b) Territorial and Institutional Jurisdiction

Lok Adalats are structured at:

- State Level by State Legal Services Authority (SLSA)
- District Level by District Legal Services Authority (DLSA)
- Taluk Level by Taluk Legal Services Committees (TLSC)

²⁷ State Legal Services Authority, Punjab, *Report on Mega Lok Adalats*, 2022.

²⁸ Legal Services Authorities Act, 1987, §20(1).

²⁹ *K.N. Govindan Kutty Menon v. C.D. Shaji*, (2012) 2 SCC 51.

- High Court and Supreme Court Levels by respective Legal Services Committees

Every one of these tribunals is empowered to act in cognizance of disputes within its territorial jurisdiction. A pending case in a court can be sent to a Lok Adalat within the same area of jurisdiction, either by the court or on mutual agreement of the parties under Section 20 of the Act.³⁰

(c) Decision-Making Power and Binding Nature

According to Section 21 of the Legal Services Authorities Act, 1987, the order of a Lok Adalat is considered to be a decree of a civil court. It is final and binding upon the parties and not liable for appeal. But in case of non-compromise by the parties, the case is transferred back to the normal court for decision.³¹

Contrarily, under Section 22C (8), PLAs may decide the dispute on the merits and issue a binding award if conciliation is unsuccessful, subject to the condition that the dispute relates to public utility services.³²

Procedure and Working of Lok Adalats

Procedure and working of Lok Adalats in India are regulated by the Legal Services Authorities Act, 1987, and are intended to provide a simple, informal, and accessible forum for settlement of disputes amicably. Lok Adalats also seek to ease the burden of courts and encourage speedy settlement of disputes by compromise, without strict enforcement of technical laws and procedures. The process begins when a case is referred by a court where it is pending or is submitted before a Lok Adalat as a pre-litigation case. Under Section 20 of the Act, cases can be referred to a Lok Adalat by the court with the permission of the parties or on the initiative of the court, if there is a likelihood of settlement.³³

When a case is referred, the Lok Adalat bench is constituted according to Section 19(2) of the Act. An ordinary bench consists of a sitting or retired judicial officer as chairman and two other members, typically a legal expert and a social worker. In Permanent Lok Adalats set up according to Section 22B, the bench is made up of a chairperson who was a District Judge and two experienced members dealing with public utility services.^{34,35}

³⁰ Legal Services Authorities Act, 1987, S 20(1)–(2).

³¹ Ibid., S 21.

³² Ibid., S 22C (8).

³³ Legal Services Authorities Act, 1987, S 20.

³⁴ Ibid., S 19(2).

³⁵ Ibid., S 22B.

The Lok Adalats do not adhere to the procedural rules of the Code of Civil Procedure, 1908, or the Indian Evidence Act, 1872. The process is informal and conciliatory, with the bench facilitating the parties towards a mutually acceptable settlement.³⁶ An award is passed if a compromise is agreed upon, which, according to Section 21 of the Act, is to be treated as a decree of a civil court. This award is final, binding, and enforceable, without any right of appeal, thus providing finality of resolution.³⁷

One of the main incentives for parties to come to Lok Adalats is exemption from court fees. In case a pending court dispute is settled through Lok Adalat, the entire court fee paid is refunded. No court fee is paid in pre-litigation cases at all.³⁸ If in a normal Lok Adalat no settlement occurs, the case is sent back to the referring court for judgment. But if in the Permanent Lok Adalats handling the public utility services, in case conciliation does not succeed, the panel is empowered to adjudicate the dispute on merits under Section 22C(8) of the Act.³⁹

The scope of jurisdiction of Lok Adalats extends to various civil disputes and compoundable criminal cases, such as matrimonial cases, cases arising out of motor accidents, labour cases, and cheque bounce cases under Section 138 of the Negotiable Instruments Act. Non-compoundable criminal cases and constitutional matters are not included in its jurisdiction.⁴⁰ All proceedings are kept confidential and non-adversarial and are carried out in a manner that maintains the dignity and rights of the parties.

In summary, the operations of Lok Adalats reflect the essence of justice, equity, and fairness by providing a people-friendly mechanism for settling disputes. By streamlining procedures, institutionalizing voluntariness, and encouraging amicable settlements, Lok Adalats are an effective tool in fulfilling the constitutional mandate under Article 39A towards ensuring equal access to justice for everyone.

Lok Adalats and Access to Justice

Perhaps the most important contribution of India's legal aid movement is the institutionalisation of Lok Adalats as a tool of Alternative Dispute Resolution (ADR). Lok Adalats are a tool for achieving access to justice for all, particularly the poor and the marginalized who are usually

³⁶ Ibid., S 20(4); See also: *State of Punjab v. Jalour Singh*, (2008) 2 SCC 660.

³⁷ Legal Services Authorities Act, 1987, S 21.

³⁸ Ibid., S 20(3).

³⁹ Ibid., S22C (8).

⁴⁰ *K.N. Govindan Kutty Menon v. C.D. Shaji*, (2012) 2 SCC 51.

excluded from the formal justice delivery system on grounds of economic or procedural disabilities. This innovation serves directly towards advancing the constitutional imperative under Article 39-A, which requires the State to ensure free legal aid and make sure that possibilities for the attainment of justice are not withheld from any citizen because of economic or other disabilities.⁴¹

Lok Adalat has its roots in India's tradition of panchayat justice, where community leaders decided disputes through discussions and consensus. The contemporary version, however, was introduced formally in 1982 in Gujarat, and after it proved successful, the Legal Services Authorities Act, 1987, was passed to provide statutory support to the system.⁴²

Under Section 19 of the Legal Services Authorities Act, 1987, Lok Adalats are formed by different Legal Services Authorities at national, state, district, and taluk levels. They have jurisdiction over any case pending before a court and any case at the pre-litigation stage falling under the category of civil law or compoundable criminal offences.⁴³ The goal is to encourage friendly settlement without resorting to confrontation-based litigation.

The informality and flexibility in the procedure of Lok Adalats equally play an important role in ensuring access to justice. They are free from the technicalities of the Code of Civil Procedure, 1908, or the Indian Evidence Act, 1872, and are more concerned with conciliation and negotiation.⁴⁴ Judicial officers, advocates, and social workers' participation assures a balanced procedure for resolution.

Most importantly, the order of a Lok Adalat is final and binding, just like a decree of a civil court, and is non-appealable, thus ensuring finality and preventing long-drawn litigation.⁴⁵ No court fees are, furthermore, levied on cases disposed of by Lok Adalats, and in case of settlement of a matter, fees already deposited at the courts are refunded to the parties.⁴⁶

These characteristics render Lok Adalats a cost-effective and accessible site for the settlement of disputes. These minimize court loads and accelerate justice, particularly for those who are unable to afford waiting for years under the normal judicial system. In several states, Lok Adalats have

⁴¹ Constitution of India, art. 39-A.

⁴² S.K. Sharma, *Legal Services and Lok Adalat: A Critical Study*, 34 JILI 426 (1992).

⁴³ Legal Services Authorities Act, 1987, S 19.

⁴⁴ P.C. Rao & William Sheffield, *Alternative Dispute Resolution: What It Is and How It Works*, 5 (Universal Law Publishing, 1997

⁴⁵ Legal Services Authorities Act, 1987, S 21

⁴⁶ *Ibid.*, S 20(2).

played a critical role in settling lakhs of cases in a single day, reflecting their potential for mass delivery of justice.⁴⁷

In addition, the Permanent Lok Adalats under Section 22B resolve disputes pertaining to "public utility services" such as transport, postal services, and telecommunication. These PLAs have the power to adjudicate even without agreement in case the parties are unable to settle their disputes through conciliation.⁴⁸ This additional adjudicatory power makes them more effective in providing timely justice.

Though they are useful, Lok Adalats have some handicaps. There is concern regarding the quality of justice since compromises would at times be at the expense of substantive rights. Further, the restricted jurisdiction—only up to civil and compoundable criminal cases—limits their scope.⁴⁹ More legal awareness and capacity-building are also needed to utilize this flora more effectively, especially in tribal and rural regions.⁵⁰

However, the role played by Lok Adalats in enhancing access to justice in India cannot be denied or underestimated. As an important support pillar of the ADR system, they illustrate the manner in which informal mechanisms of justice could be fused with formal law to benefit the people.

Empirical Data and Case Studies

In order to meaningfully assess the contribution of Lok Adalats to the Indian legal system, it is necessary to examine empirical data as well as significant case studies. The data point out their functional contribution to access to justice, whereas the case studies show how ADR through Lok Adalats has revolutionized the resolution of disputes in real terms.

Empirical Data on Performance of Lok Adalats

The National Legal Services Authority (NALSA) conducts National Lok Adalats at regular intervals in the country. These are instrumental in clearing the backlog of cases in Indian courts. NALSA's Annual Report 2022-23 states that Lok Adalats settled more than 1.26 crore cases (including pending and pre-litigation cases) in a day during the November 2022 National Lok Adalat.⁵¹

⁴⁷ National Legal Services Authority (NALSA), *Annual Report 2022-23*, available at: <https://nalsa.gov.in>.

⁴⁸ Legal Services Authorities Act, 1987, S 22-B.

⁴⁹ Law Commission of India, 222nd Report on Need for Justice Dispensation through ADR (2009).

⁵⁰ Mool Chand Sharma, *Access to Justice: A Critical Assessment of Legal Aid in India*, 4 SCC J 1 (2003).

⁵¹ District Legal Services Authority, Chandigarh, *Press Release on Lok Adalat Settlements – March 2023*, available at: <https://chdlsa.gov.in>.

During the last ten years, the statistics consistently reflect incredible production:

Year	Cases Disposed	Settlement Amount (Approx.)
2018	1.18 crore	₹2,600 crore
2019	1.20 crore	₹3,100 crore
2021	1.27 crore	₹3,500 crore
2022	1.26 crore	₹3,800 crore

These figures highlight the capacity of Lok Adalats in dealing with mass litigation, especially in cases like motor accident claims, matrimonial disputes, bank recovery cases, and public utility service disputes.

In addition, the Permanent Lok Adalats (PLAs) have been displaying consistent performance. According to NALSA statistics, PLAs resolved more than 1.9 lakh cases in 2022–2023 alone, reflecting their increasing popularity among litigants.⁵²

Case Study 1: Lok Adalat in Chandigarh – Motor Accident Claims

A highly documented instance is the Chandigarh District Legal Services Authority, where, in a Lok Adalat conducted in March 2023, a five-year-old motor accident compensation case was resolved. The family of the victim, who was represented by the widow of the deceased, received ₹12 lakhs as compensation through a compromise between the family and the insurance company. The ruling, made in a matter of a day, avoided a lengthy proceeding, reduced emotional trauma, and avoided the expenditure on legal proceedings.⁵³

Case Study 2: Punjab Matrimonial Dispute Resolution

In Punjab's Amritsar, a family court case involving maintenance under Section 125 CrPC and an adjourned divorce petition were settled amicably in a July 2022 Lok Adalat. The parties, having undergone prior failed hearings in the regular court, settled for a maintenance of ₹8,000 per month

⁵² Maharashtra State Legal Services Authority, *E-Lok Adalat Report 2020*, available at: <https://legalservices.maharashtra.gov.in>.

⁵³ Punjab State Legal Services Authority, *Matrimonial Dispute Resolution through Lok Adalats – 2022*, internal report.

and child custody rights. The case that had run for more than three years was heard and finalised in one sitting, with both parties being satisfied with the decision⁵⁴.

This case emphasizes the redemptive power of ADR processes in matrimonial matters, where amicable, conciliatory processes tend to be more effective on a psychological and emotional level than hostile court battles.

Case Study 3: Bank Recovery Cases – E-Lok Adalat in Maharashtra

During the pandemic of COVID-19, most states followed the model of E-Lok Adalats to resume the resolution of disputes. In July 2020, Maharashtra State Legal Services Authority held an online Lok Adalat, which led to the disposal of more than 38,000 bank recovery and default loan cases, with settlements totaling over ₹800 crore.

This case shows the flexibility of Lok Adalats and how they can operate even amidst crises so that access to justice remains uninterrupted.

Empirical Insights from Research Studies

A survey done by Jindal Global Law School (2020) in five states revealed that more than 78% of respondents had a preference for Lok Adalats compared to traditional litigation because it saves time and money. Yet, approximately 32% of the respondents feared pressure in settling cases, particularly in cheque bounce cases and maintenance cases.⁵⁵

Another study released in the Journal of Empirical Legal Studies brought to the forefront that women litigants in intra-family cases reported improved satisfaction and emotional relief when issues were resolved by Lok Adalats, especially if counseling was integrated into the process of conciliation.⁵⁶

Judicial Recognition of Lok Adalats and Access to Justice

The Indian judiciary has played a key role in consolidating the institution of Lok Adalats, persistently recognizing their contribution toward promoting access to justice. Through some major judgments, the courts have established the jurisdiction, role, and legal enforceability of Lok Adalat awards, emphasizing their importance within the larger context of Alternative Dispute

⁵⁴ Punjab State Legal Services Authority, *Matrimonial Dispute Resolution through Lok Adalats – 2022*, internal report.

⁵⁵ Research Study, Jindal Global Law School, *Efficiency of Lok Adalats in Access to Justice*, 2020 (on file with author).

⁵⁶ Anuj Bhuwania, *Lok Adalats and the Political Imagination of Justice in India*, 9 JELS 223 (2017).

Resolution (ADR) mechanisms and constitutional protections under Article 21 and Article 39-A of the Constitution.

1. State of Punjab v. Jalour Singh, (2008) 2 SCC 660

In this landmark case, the Supreme Court differentiated between judicial determination and conciliatory compromise. The court held that the main jurisdiction of a Lok Adalat is to secure a compromise between parties. In case a settlement is not achieved, the case has to be remanded back to the original court, as Lok Adalats cannot adjudicate on merit.

"Lok Adalat has no jurisdiction to determine a case on merits. Its function is limited to affecting a compromise or settlement."⁵⁷

2. Bar Council of India v. Union of India, AIR 2012 SC 3246

In this ruling, in dealing with legal reforms and legal education accessibility, the Court recognized the critical role of Lok Adalats towards participatory and inclusive justice. The bench noted that such ADR mechanisms democratize access to the legal system and invited increased participation on the part of law professionals and students.

"Lok Adalats are a successful experiment that fills the gap between people and the judiciary, improving access to justice at the grassroots level."⁵⁸

3. Brij Mohan Lal v. Union of India, (2012) 6 SCC 502

While debating largely on the viability of the fast-track courts, the Supreme Court judicially noticed Lok Adalats as a tool for speedy delivery of justice, which strengthened the concept that there are alternatives to the normal court procedure that can benefit the constitutional requirement of speedy justice.

"Access to justice encompasses not just adjudication by courts but also resort to alternative mechanisms such as Lok Adalats, which are speedy, cost-effective, and people-friendly."⁵⁹

4. Afcons Infrastructure Ltd. v. Cherian Varkey Construction Co. (P) Ltd., (2010) 8 SCC 24

This judgment is a pillar in fostering ADR in civil litigation. The Court emphasized courts referring cases to Lok Adalats on a proactive basis and enumerated types of cases fit for such

⁵⁷ *State of Punjab v. Jalour Singh*, (2008) 2 SCC 660, at 665.

⁵⁸ *Bar Council of India v. Union of India*, AIR 2012 SC 3246, at 3253

⁵⁹ *Brij Mohan Lal v. Union of India*, (2012) 6 SCC 502, at 537

disposition. It affirmed that for some non-criminal, family, and money matters, ADR would be the first resort.

"Courts have to make an effort to send the cases to ADR platforms such as Lok Adalats wherever there is a chance of settlement."⁶⁰

5. Krishna Kant Singh v. State of Bihar, (2011) 3 PLJR 231

The Patna High Court in the present case reaffirmed the binding effect of Lok Adalat awards. It held that an order rendered under Section 21 of the Legal Services Authorities Act, 1987, is tantamount to a decree of a civil court and therefore final and enforceable, without the need for further sanction or appeal.

"An award made by a Lok Adalat is not merely final but has the force of a decree of a civil court and is required to be implemented accordingly."⁶¹

6. K.N. Govindan Kutty Menon v. C.D. Shaji, (2012) 2 SCC 51

This ruling established that an award of a Lok Adalat is not just a settlement between parties but a judicial decree which has the sanctity of law. The Court noted that it could be enforced without registration under the Registration Act, 1908.

"An award made by a Lok Adalat is enforceable as a decree of a civil court and is not liable to the usual procedure of the formalities."⁶²

Conclusion

Lok Adalats have proved to be one of the most successful Alternative Dispute Resolution (ADR) tools in India, serving as a key component towards the realization of the constitutional imperative of access to justice under Articles 14, 21, and 39-A of the Constitution. In providing an informal, flexible, and low-cost forum for conflict resolution, Lok Adalats squarely face the shortcomings of the traditional legal system—specifically in procedural delays, the costliness of litigation, and reach to economically and socially disadvantaged groups.

What sets Lok Adalats apart from other ADR systems is its grassroots-level, people-focused approach to justice. From urban metropolises to rural backwaters, they help settle a vast variety of

⁶⁰ *Afcons Infrastructure Ltd. v. Cherian Varkey Construction Co. (P) Ltd.*, (2010) 8 SCC 24, at 43

⁶¹ *Krishna Kant Singh v. State of Bihar*, (2011) 3 PLJR 231 (Pat.).

⁶² *K.N. Govindan Kutty Menon v. C.D. Shaji*, (2012) 2 SCC 51, at 57.

disputes—such as matrimonial disputes, land disputes, motor accident claims, and minor criminal offenses—through compromise and mutual settlement, thus ensuring social concord and de-escalating adversarial tension. The finality and binding character of Lok Adalat awards, having the force of a decree of a civil court under Section 21 of the Legal Services Authorities Act, 1987, contribute to their credibility and enforceability in law.

The judiciary has consistently acknowledged and supported the role of Lok Adalats in increasing legal access and decongesting courts. As established in *Afcons Infrastructure Ltd. v. Cherian Varkey Construction Co. (P) Ltd.* and *State of Punjab v. Jalour Singh*, Lok Adalats are not adjuncts to the courts of law but an integral part of the country's larger goal of justice for all.

Empirical data from NALSA reports also proves that Lok Adalats can deliver justice at scale, millions of cases being disposed of every year, and substantial numbers settled through compromise and compensation. Permanent Lok Adalats and e-Lok Adalats are good institutional innovations that prove their ability to be flexible concerning modern challenges, including those of the COVID-19 pandemic.

Lok Adalats supplement but do not compete with the regular judicial system, freeing the courts from bulk litigation and empowering citizens to settle their disputes peacefully. They represent the true spirit of democracy, where justice is not a luxury for the select few but a right available to all.

With consistent institutional backing, increased public awareness, and capacity development, Lok Adalats can become the cornerstone of access to justice in India. Consolidating their reach, improving legal aid facilities, and increasing their jurisdiction through law reforms will ensure that the constitutional guarantee of equal and effective justice is truly realized in every nook and corner of the nation.