CHAPTER-IX
CONCLUSION AND SUGGESTIONS

The institution of Lok-Adalat is functioning on the democratic basis. The disputants have control over the process of negotiation, which makes the process consumer friendly. In Lok-Adalats all the parties, their counsels, conciliators cum judges sit together with one single aim to bring the parties to amicable settlement so as to initially satisfy both the parties and bring the dispute to its logical end. The institution of Lok-Adalat has succeeded in setting thousands of cases in single day, which otherwise would have taken years to resolve. Until now the institution of Lok-Adalat could settle millions of cases. Study revealed that until 1999, more than 97 lacs cases were settled through Lok-Adalats in which Rs 2306,07,32,170/- (Rs Two thousand three hundred six crores seven lacs thirty two thousand one hundred and seventy) only was awarded as compensation to the claimants in Motor Accident Compensation Claim cases alone. The reason for its success lies in its process, which is simple, less formal, cheap and expeditious. It is simple because the legal formality has little role to play and cheap because no court fees or other charges are required for resolution of disputes in Lok-Adalats. On the other hand incentives have been provided in the form of return of the court fees if paid at the time of filing of the case before court of law. It is expeditious because the matter settled within single or couple of hearings at Lok-Adalat that save the parties from unmanageable expenses which would otherwise have to be incurred during the long process of adjudication including professional charges.

The justice delivery mechanism as adopted in Lok-Adalat is neither inferior in quality compared to the adjudication process nor it is a compromise on the part of the poor. Even the process as adopted in the Lok Adalat and its outcome is qualitatively superior to the adjudication process specifically in certain categories of cases. The underlying rationality of Lok Adalat coming into existence and be successful is the experience which tell us that an adversarial adjudication will leave one party the victor and other the loser, does not remove the dispute from the society and may lead to further disputes or tension. The process of Lok-Adalat makes both the parties winners because the outcome of the process was of their own. In certain categories of cases,
specifically in the disputes where parties have a continuing relationship, it saved the parties from making allegation and counter allegation against each other. It attempted to bring peace and harmony among the disputants. Accordingly, matrimonial disputes are successfully resolved, bringing the broken homes back to harmony.

The institution of Lok-Adalat had functioned effectively for more than a decade without any explicit legislation. However, Lok-Adalat too had legal instrumentalities during that time in the form of Constitutional directives and the guidelines prescribed by the judiciary. It is evident from the study that the institution of LokAdalat has been enshrined as an instrument to fulfil the Constitutional obligation of providing equal Justice to all and to make access to justice meaningful for the down trodden people. Thus, the institution of Lok-Adalat is nothing but a means to fulfil the Constitutional obligation as enshrined in the Preamble, Art. 14, Art., 39A, Art. 40 and other provisions of the Constitution.

The legislative mechanism in the form of Legal Services Authorities Act, 1987 eliminates the vacuum created because of the non-availability of explicit legislation for Lok-Adalat. Indeed, it was further strengthened by 1994 Amendment and C.P.C. Amendment, 1999. The institution of Lok-Adalat got further impetus by Legal Services Authorities Amendment Act, 2002, which supplemented the institution of Lok-Adalat with permanent Lok-Adalat. In fact both adhoc and permanent Lok-Adalat are going to be in existence. One having former characteristic that will function solely as conciliatory body without having power to pass decree on merit if the parties failed to settle their disputes and the other is Permanent Lok-Adalat, which has power to pass decree on merit if parties failed to settle their disputes. However, study revealed some deficiency in the provisions of the Legal Services Authorities Act. Firstly, the Act does not prescribe any mandate for the parties to appear before the Lok-Adalat. Secondly, no remedy has been prescribed when the parties deliberately do not appear before Lok-Adalat. Thirdly, The Legal Services Authorities Amendment Act 2002 empowered the Lok-Adalat to pass the decree on merit if parties failed to settle their disputes but the Act did not prescribe any provisions for appeal against order passed on merit. Thus, certain amendment in the Act as discussed in earlier chapters will remedy such deficiencies and will help in functioning the
institution effectively. Apart from that, provisions of procedural laws namely C.P.C, Cr.P.C and substantive law like IPC may be invoked to summon the parties and witnesses to Lok-Adalat which will strengthen the process before Lok-Adalat.

Since the inception of the institution of Lok-Adalat the judiciary played a vital role. It not only influenced the enactment of the law but also made effort for proper implementation and enforcement of the Legal Services Authorities Act, 1987. It works as watchdog for the institution of Lok-Adalat. The study points out that the formation of Permanent Lok-Adalat for public utilities sector by virtue of Legal Services Authorities Amendment Act, 2002 is nothing but materialization of the judicial pronouncement In this regard Art. 141 of the Constitution came into play when a committed Judiciary decreed liberal guidelines for future action.

The institution of Lok-Adalat effectively provided justice to a large number of people since its inception in 1962 at Gujarat. Millions of cases were settled at, national sphere through this conciliatory mechanism. The growing popularity of the institution can be established from the fact that while until March, 1996, only 13061 Lok-Adalats were held in different parts of the country in which 57,3 8,423 cases were settled and an amount of Rs 861,27,79,423 was awarded as compensation, the number of settlements increased to 97,20,289 in 49415 Lok-Adalats held until 1999 and an amount of Rs 2306,07,32,170/- was awarded as compensation in motor accident compensation claim cases alone. The highest number of Lok-Adalats were organised in the State of Gujarat where 10165 Lok-Adalats were held until 1999. The organisation of Lok-Adalat in the State of Gujarat was further increased to 24763 until Sep. 2002 in which 17,09,869 cases were settled. In the State of Uttar Pradesh 36,08,531 cases were settled in Lok-Adalats until 1999. Study further revealed that the performance of the institution of Lok-Adatot is not similar in all the places. In some places like Chandigarh, Tripura, Lakshadweep, Andaman & Nicobar Lok-Adalats are newborn institutions. Indeed, in some places like Arunachal Pradesh, Manipur, Meghalaya, Mizoram and Sikkim, performance of the institution was not impressive. In almost all the States, a large number of motor accident compensation claim cases were settled which varies from 5% to 20% in different States. A large number of other categories of cases also settled in the Lok-Adalats. The trend is encouraging that this
institution has come to stay as an effective alternative to adversarial system of dispute resolution.

It is found that Lok-Adalat was initiated in West Bengal much later than in several other states. The first Lok-Adalat in the State was organised at the end of 1991. Until March'1996, only 39 Lok-Adalats were organised in the State in which 2400 cases were settled and an amount of Rs 591,47,700/- was awarded as compensation. Study further revealed that the institution of Lok-Adalat performed extremely well in post 1998 period. An outstanding performance was made in the year 1999 when 9434 cases were referred before the LokAdalat in which 4512 cases were settled. The number of reference of cases further increased in the years 2000 and 2001 but the number of settlements has decreased slightly in these two years. However, number of settlements further increased in the year 2002. In West Bengal different categories of cases were settled which include MACC cases, maintenance cases, matrimonial disputes, bank loan cases, title suit, money suit, and petty criminal cases, pre-litigation and other categories of cases. However, highest percentage of settlement recorded is in MACC cases, which is alone 73% of the total cases settled. Thousands of people belonging to all Districts were benefited out of this result-oriented institution. The highest number of cases referred as well as settled was in the District of North 24 Parganas where 4522 cases were referred in the last three years in which 3712-cases were settled. The lowest number of cases settled was in Murshidabad District. However, compared to other contemporary States the performance of Lok-Adalat is not satisfactory but then the institution is in growing stage in West Bengal. Constant encouragements and consistent educative process of awareness programmes are warranted.

It has come to light that while in some Districts Lok-Adalat is gaining popularity steadily and the number of reference and settlement increased significantly, the number of settlement decreased in several districts. The institution of Lok-Adalat has constantly registered increase in the Districts 24 Parganas south, Bankura, Dakshin Dinajpur and Malda but all other districts have shown decrease in performance. A probe into the reasons of disparity in performance in various districts will bring to the fore the causes which can be effectively tackled by appropriate
measures. Some such reasons for decline of the number of cases in different Districts are inactive participation of Advocates, managerial deficiencies, unawareness among the disputants and the concentration of Lok-Adalat in the district headquarters.

It is revealed from the study that some districts have been able to settle large number of civil cases while some other districts have settled a large number of matrimonial cases. In Hooghly 426 bank loan cases were settled, which is highest in the State compared to other districts. Similarly, Howrah & Nadia settled a large number of matrimonial cases. In the same direction Dakshin Dinajpur and Malda were able to bring into compromise in large number of pre-litigation cases; the 24 Parganas South, 24 Parganas North & Murshidabad scored well in MACC cases. Thus, the aforesaid results on the one hand refute the argument that the institution is effective only for MACC cases. On the other hand it established the fact that the institution of Lok-Adalat has potentiality to settle a large number of other categories of cases like maintenance cases, matrimonial cases, bank loan cases, money suits, commercial disputes etc. Indeed, the institution of Lok-Adalat established that it has potentiality to settled large number of such cases, which have not entered in the roll of adjudicatory proceedings. Accordingly, a large number of pre-litigation cases were settled in different Districts. However, such potentiality has not been utilized in most part of the State. Of the total settlements in the State of West Bengal, MACC cases were alone 73%, which is much higher than that of several other States.

A remarkable finding of the study is that in three distinct areas Lok-Adalats were particularly successful. First, the cases where the disputants knew the fate of the case. Disputant of the one side knew that they have to pay the money and the contestant on the other side have firm hope of getting money. Thus, the dispute basically centres round the quantum of money. MACC cases, bank loan cases, cheque bounce cases and even maintenance cases are example of this form of disputes. Secondly those cases where one party has right to have access to service while the other has duty to provide service. Electricity disputes and other consumer-oriented disputes are examples of this form of disputes. Third where ongoing relationship subsist between the parties. The matrimonial cases, maintenance cases, bank loan cases are examples of this form of disputes.
Yet another meaningful finding is that although the institution of Lok-Adalat is functioning in all the Districts of West Bengal, except in few cases, almost all Lok-Adalats in the State were organised at District Headquarters. Though Sub-Divisional Legal Services Committees were established in most of the districts yet all such Sub-Divisional Committees are on papers only. Such non-activation of Sub-Divisional Committees resulted in deprivation of countryside people to obtain the fruit of the institution. Different authorities established in the State failed to organise People's Court at people's places.

It is revealed that majority of people have shown satisfaction on the functioning of Lok-Adalat. A mixed response came from the respondents whom the researcher served questionnaire. The response was sometimes based on respondent's own interest as on asking whether the Lok-Adalat be organised at people’s places instead of court premises, the disputant replied in affirmative while most of Advocates responded in the negative. Similarly, large number of Advocates did not make themselves responsible for minimal disposal of cases. However, apart from the suggestions for making the institution more effective, most of the respondents agreed with the views of researcher on two aspects. Firstly, in the process of Lok-Adalat none of the parties is loser and the end product made both of them happy as end justifies the means. Secondly, there is a scope of continuance of both the systems of administration of justice, firstly by adversarial mode of dispute resolution and secondly by the alternative mechanism of Lok-Adalat. Both the institutions are co-related with each other and can effect on the functioning of other institution. The improvement of working of the adversarial mode of dispute resolution will improve the functioning of Lok-Adalat. So the requirement is not only to improve the functioning of Lok-Adalat but also to expedite the adversarial mode of dispute resolution. In fact the effective functioning of the adversarial mode of dispute resolution will make the institution of Lok-Adalat more functional.

The NGOs played substantial role in initiation of Lok-Adalat. In fact the seed of the institution of LokAdalat in the State of West Bengal was sown by NGO's, which organised several Lok-Adalats after initiating it in the year 1991. The Advocates, Judges, Para-Lawyers, Social Workers and other legal fraternity played
important role in making the institution successful. However, some of the Advocates have shown keen interest in some category of cases like MACC, which resulted in the settlement of large number of such cases. Indeed most of them keep themselves aloof from the institution. It is fact that without the active participation of the Advocate the institution like Lok-Adalat cannot be successful. So it is essential for the betterment of the institution that much larger percentage of Advocates should become active towards participation in the institution. NGOs' attempt to train para-lawyers in the field of Alternative Dispute Resolution mechanism can create a new category of professionals having friendly attitude towards Lok-Adalat. But very little progress have been made in this direction. Although the social workers are part of the panel of the judges of the Lok Adalats they need to be identified and trained in the art of conciliation and awareness about the institution so that access to justice become meaning full to the less privileged masses.¹

The Indian Constitution as a form of social document is a significant symbol of the hopes and aspirations of the people. It is intended by the makers of the Constitution that the benefits of law must belong to all, not, as now, to those who use the Constitution for unconstitutional ends. They were quite hopeful that the poor and the needy must not be at the victims end but at the consumers end.

Their aim was to wipe every tear from every eye and it is expected that the law must go to eye and compel the weaker to reach the urban-based lawyer and judge.

In order to achieve this holy goal, the framers of the Constitution prescribed the mandate for social economic and political justice, in its Preamble.

The philosophy of equality enshrined in Article 14 of the Constitution says that the State shall not deny to any person equality before or the equal protection of laws within the territory of India. The provision of equality contains two principles of justice viz, equality before law and equal protection of law. In the light of the principle embodied in Article 14, it is implied that aim of equality can be achieved only when the long established phenomena of inequalities and injustices in name of creed, caste, religion, status and wealth are weeded out.

¹ Sarfaraz Ahmed Khan, Lok Adalat: An Effective Alternate Dispute Resolution Mechanism; A P H Publishing Corporation, New Delhi, 2006.
But, in reality the guarantee of equality before law does not provide any satisfaction to a poor man if there is no one to tell him what the law is or that the courts are open to him on equal terms as to other rich persons. But, in fact, the principle of equality before law can really be made meaningful only when the price of admission to opportunities for justice can be equality paid. There can hardly be said equal access to justice where one litigant is rich and other poor because the rich litigant may purchase justice with his heavy purse while the poor may not do so. So long as socio-economic and other forms of inequality exists, the implementation of national charter. V.R.K. Iyer; Law Versus Justice, 11(1981). 8. Austin Granville; The Indian Constitution: Cornerstone of A Nation, 26 (becomes impossible, until or unless we evolve the process of administration of justice where the economic differences is not a factor for getting justice.

Effective access and justice is the most basic requirement of a system which proposes to guarantee legal rights to the people at large when a person is unable to obtain access to the court for having his grief redressed. Justice has no meaning to him. Though Lok Adalat movement cannot be placed on the lower side. If the law has to place, a purposeful and significant role in a democratic order for the socio-economic reconstruction of society, Lok Adalat must be placed at prominent place in the justice delivery system. Lok Adalat is infact, the delivery system of social justice and equal justice in action.

There is no doubt that from the last three decades, Lok Adalats have done a considerable amount of good work. A large number of motor accident claims cases had been resolved in the beginning by the Lok Adalat.

In every kind of civilization, pursuit of justice is instinctive, it is, in fact, a basic and primordial instinct in every human being; it is an individual, as well as, societal instinct and every society strives or aspires to attain it through its legal system. The degree of perfection attained by legal system may be measured by the extent to which it exists in good instinct for justice system to express itself and to find its fulfillment. Not every legal system succeeds in this goat sometimes a legal system fails to achieve its purpose because of defects and deficiencies in its substantive laws and sometimes mainly because of its procedural rules infirmities.
Law and system of justice are not like antiques to be taken down, dusted, admired and put back on the shelf, but they are rather like a vigorous tree which has its roots in history and takes on new graft, puts out new sprouts and occasionally drops dead wood. It is a dynamic instrument fashioned for the purpose of achieving ameliorative and harmonious adjustment and settlement of disputes arising out of human relations by eliminating social tensions and conflicts and it must, therefore, change with changing socio-economic conditions. Law and system should be stable, but not standstill. There is nothing permanent except "CHANGE". It is equally true nothing static would survive long, the duty of justice transcends all other considerations and is of paramount importance and overriding. Benzinam Cardozo, the great American judge observed; "The inn that shelters for the night is not the journey's end. The law, like the travellers, must be ready for tomorrow.

It is heartening to note that the Parliament has very recently enacted the Gram Nyayalayas Act 2008. Justice to the poor at their doorstep as the common man's dream is sought to be achieved through the setting up of Gram Nyayalayas which will travel from place to place to bring to the people of rural areas speedy affordable and substantial justice. The conjunction of citizen avoidance of the courts, defeatist resignation and load-shedding by the courts {in the guise of faux traditional tribunals} and the emergency of rival forums dilutes the efficacy of the state as adjudicator and enforcer of norms in everyday life. While romanticized as a way of providing efficiency and access to justice to the poor, Lok Adalats sadly hold little promise for delivering effective legal services to those most in need. Indian law is facing a momentous set of institutional changes. Just as Dr. B.R. Ambedkar struggled to ensure that the oppressed were not excluded from the benefits of the new democracy, the Ambedkars of our day must invent ways of applying new insights and technologies to the problems of providing access to justice to Indian citizens, long inured to its absence.

Of course, justice through state courts is not the only way. In every society there are a number of conflict- resolving or dispute-setting systems or modes for justice, and it is generally, well recognized that resort to a court of law should be the last one. Social resolution of disputes is generally preferable to official resolution.
because it is more socially acceptable and does not ordinarily leave behind bitterness. It can also be preventive. Lok Adalats must be considered as one of the agencies in this wide social context, not merely as an appendage to or corrective of the present system.

Lok Adalats, if properly conceived and thoughtfully designed, have many advantages over the established courts. They combine both lawmen and lawyers. They are less formalized, less expensive, purposeful and directly committed to real long terms. The litigating people have greater scope for participation in the satisfactory resolution of their disputes. Lok Adalats can thus perform different functions depending upon different factors. They can pre-empt and remove the causes of the likely disputes with the assistance of auxiliary people's centres which can constantly be vigilant, and sense or detect possible areas of conflict or can encourage people to bring their possible or likely disputes before them. They can also act, simultaneously as conciliators, mediators, arbitrators or adjudicators as per the requirements. One special advantage is that their decision will be made easily acceptable and smoothly enforceable.

Lok Adalats will be and can be indigenous and people's court or tribunal originating or drawing inspiration from the people—not remote, alienated, impersonal, formalistic and legalistic. Like language, law and its courts must reflect the volkgeist—the spirit of the people—not because this is always just and righteous, but because it is closer to the law of life. The absence of this was the bane of the English system in India, which remained largely an urban and elitist institution for the few, while the common people continued to live and resolve problems in their own ways, Lok Adalat can combine both traditional of the modern and modernity of the tradition.

The modern world of globalization is in search of different alternative disputes-settlement methods for its trade, business and industries, and Indian lawyers 'and judges are in a hurry, as if they were evolving or creating original methods for the people. They do not know- or pretend to know- that they are really trying to meet the rising and urgent demands and needs of a globalized capitalism. There is nothing wrong in this, but the search and zeal for effective and genuine people's tribunals or for - a foople's problems must also go on simultaneously. Here there is an opportunity
for a strong movement and campaign for Lok adalats. Such Lok Adalats will have roots in the soil, easily accessible and acceptable to the people. They can perform different roles-preventive, negotiating, bargaining, compromising and resolving. They must retain and preserve the basic feature of impartial, just and fair system of justice, with popular participation, but not diverted or distorted by populism or guided or controlled by powerful vested interest of the society at the local level.

The innovative part in Legal Services Authorities Act, 1987 is contained in Chapter V. But there is considerable conceptual shrinkage in the statutory ideation of Lok Adalat. There is a Lok Adalat movement in the country which outstrips the conceptual limitations of Chapter-V. Many States have shown enthusiasm for this versatile phenomenon of informal justice with easy finality and community orientation. Gujarat has set a record in this experiment; thanks to the Chief Justice for taking vigorous personal interest. Similarly, Andhra Pradesh has produced results in conciliation. Tamil Nadu also is doing good work and is a model in many respects. Judges charged with the responsibility of organizing Lok Adalats in these State; and in Maharastra, Rajsthari and elsewhere have worked with inspire zeal. In Karnataka the Law Minister has dedicated himself with restless wanderlust and soulful commitment to this task and it assort of Lok adalats - personified in a few State like Kerala, State Legal Aid Boards have proved disappointing in their Lok Adalats performance, although partly made up for by a voluntary agency (people's Council for Social Justice), headed by a retired judge. The drive behind the Lok Adalats is the roused consciousness of the community to prevent disruption of local unity and to secure substantial equity and social justice, in a mood of human solidarity. In many places, Lok Adalats are transfigured as People's Festivals of Justice. The participants are not merely judicial officer or lawyers as envisaged in section 19(2), or justice equity and fair play (vide Sec. 19(4) which means, again, common law) and the settlement are not necessarily according to legal principles, but with an eye on social goal like ending feuds, restoring family peace and providing for destitute, law or no law. One deed not further elaborate the other provisions except to sum up and say that the defects above mentioned are cardinal and not peripheral correctible and not irremediable. The philosophy of autonomy land accountability for statutory authorities
with democratic composition and social initiative must be accepted by the state. Such a postulate calls for the categorical imperative that free legal service in its wider sweep of semantics is the guaranteed right of very Indian and not the largess condescendingly extended by Government. The jurisprudence of judicature walks a different street paved with right, not grace. Public Interest Litigation is part of the process of participative justice and standing in civil litigation of that pattern must have liberal reception at the Judicial doorsteps.

Accountability and democracy are close companions; a free legal service project affecting vast numbers of underprivileged Indians must be accountable to the people. I wonder why there is no provision for the Central or State authorities to present reports to parliament and the legislature so that there may be annual discussions at the highest levels and consequential changes brought in the system itself. The State Legal Service Authorities must face criticism more or less like what has been levelled earlier against the Central authority. If the chief justice or his associate judge is to be in a committee which is to be organized Lok Adalat, [sec.7 (2)(b)] if he is to grant legal aid by sitting and screening the means and the merits of the applicants and there cases [sec7(2)(a)] it may be wrong because here role may be misunderstood. The authority applies the merits test and the judge is the member of that counsel. Technically the authority therefore implicates the judge in the assessment of the merits of a case which is to be filed. This is not right. If the judges are to be kept away from screening particular cases for eligibility for legal aid, there must be, statutory indication to that effect. The presence on the authority is useful. But his being directly or vicariously involved in screening the merits of the cases even prima facie is fraught with risk to the confidence in the impartiality of the judges who hear the cases.

Cases that have in effect been resolved in the courts are assigned to Lok Adalats to inflate the total of resolutions there. Clearly, there are career incentives for officials to produce the cases and settlements desired by their superiors. Beyond this, there are questions about the quality of the process:

Suggestions:
In order to improve and strengthen the working of institution of Lok Adalat, to effectively implement the cherished goal of justice delivery mechanism enshrined in the Constitution and promoted by Apex Court, the legal actions as well as social actions are the need of the time.

1. Legal Actions:

   The Constitution provisions and directions of the Apex Court of India have emphasized the need of effective, speedy and inexpensive justice delivery system. The Lok Adalat is one of the important instrument of this philosophy. To promote this philosophy, the settlement of disputes through Lok Adalat system should be added as a Fundamental Duty under Article 51A of the Constitution.

II. The Legal Services Authorities Act, 1987:

   i. It is an essential requisite for the effectiveness and efficiency of the mechanism of Lok Adalats that they should be manned by the experienced, dedicated, experts, talented and committed persons so that they may understand the basic reasons of the disputes and the interests of the disputants and may apply conciliatory techniques of settlement of disputes. In the light of this requirement, the provision regarding training of members of Lok Adalats should be added in the Act and only trained persons should be appointed as members of Lok Adalats.

   ii. For the development of society and country, the culture of compromise should be encouraged. The Lok Adalat system is a device for this purpose. The success or failure of the Lok Adalat depends upon cooperation of the public in general and disputants in particular. The non-participation of the disputing parties is a great hurdle in the success of Lok Adalat mechanism. So, it is respectfully submitted that the specific provision should be added in the Act to ensure the presence of party during Lok Adalat proceedings for desired results of the system.

   iii. The more matters should be brought under the jurisdiction of Lok Adalat like intellectual property disputes, environment matters, disputes relating to education system, cyber-crimes, taxation matters, matters relating to Mahatma
Gandhi National Rural Employment Guarantee Act (MNREGA) and disputes relating to professional services.

iv. It should be mandatory in the Act to refer certain kinds of cases such as Motor Accident Claim cases, Bank Loan cases, Maintenance cases, Matrimonial and Family disputes, Labour disputes and cases related to business to the Lok Adalat at the initial stage itself.

v. The Lok Adalat should also be organized inside jails for disposal of cases involving under-trial prisoners. This method will afford opportunity to other prisoners also to know the benefits of the Lok Adalat system and may motivate them to adopt it for their disputes.

vi. Permanent and continuous Lok Adalats/Samjhauta Sadans should be encouraged and strengthened by courts to effectively implement the filling the blanks of Lok Adalats. So that it may prove the continuous supplements of Lok Adalats to encourage conciliatory methods to resolve the disputes.

vii. At present the Permanent Lok Adalat are working at divisional headquarter in State of Haryana. It is respectfully submitted that Permanent Lok Adalat relating to Public Utility Services should be established at each District Headquarter.

viii. Lok Adalat is not authorized to decide the matters on merit. Sometimes after great efforts, the Adalats fail to bring the parties in a compromising position and have to return the case to court of law. It is respectfully submitted that in such cases the exercise and time of the Lok Adalat go waste. Therefore, the Lok Adalat should be empowered to decide the cases on the basis of merit as the Permanent Lok Adalat is authorized to decide if the conciliation process is failed.

ix. Where the case is decided by Lok Adalat or Permanent Lok Adalat on merit the limited right of one appeal to the High Court should be allowed.

x. A definite but simple procedure should be provided to execute the awards of the Lok Adalat by the Lok Adalat itself.
xi. The court fee should be refunded by the Lok Adalat earliest without unnecessary delay to establish the reality that the Lok Adalat system provide efficacious justice to the litigants without any cost at their door steps.

xii. The performance-linked reward should be granted to the conciliators of Lok Adalats. These rewards may be in the form of promotions benefits, increment benefits, cash awards, appreciation certificates, etc.

xiii. The honorarium to the members of Lok Adalats must be attractive and should be revised after regular intervals. The Lok Adalat system is conciliatory system to settle the disputes. Members of Lok Adalat are not accustomed to the nature of the system. They usually behave more or less like ordinary courts. So, it is need of the time to formulate a code of conduct for members of Lok Adalats so that they may conduct themselves in a manner to achieve the conciliatory object of Lok Adalat system in letter and spirit.

xiv. Video recording of proceedings of Lok Adalat should be done for advertisement and monitoring purpose.

xv. The independent monitoring cells should be established at the district, division and State level to monitor the functioning of Lok Adalats as a watchdog in their respective areas.

III. Other Legal Measures

Apart from Constitution of India and Legal Services Authorities Act, 1987, the legal actions should be taken under other laws such as Advocates Act, Criminal Procedure Code, Police Rules and Services Rules.

i. The more crimes should be added in the list of compoundable offences under the Code of Criminal Procedure in order to bring the more matters in the jurisdiction of Lok Adalats.

ii. The active and cooperative role of advocates and government officers towards Lok Adalat system should be appropriately appreciated by State Legal Services Authority. On the other hand the continuous negative role of the advocates and officers of the government departments and autonomous bodies should be curbed by appropriate actions by their respective governing bodies. For this
purpose, necessary changes should be introduced in the Advocates Act, Bar Council Rules and Services Rules of Government and Autonomous bodies.

iii. Inspite of directions of State Legal Services Authority and higher police officers of Haryana, a large number of compromises are made in Police stations. These compromises should not be recorded by police officers at the police stations as per the above said directions. The disputants should be sent to the Lok Adalats for recording their statements for compromise. In such circumstances the compromise will be binding on the disputing parties as an award of Lok Adalat. It is respectfully submitted that the appropriate departmental actions should be taken against the police officers for the violations of directions regarding recording of compromises in the police stations.

iv. The Lok Adalat law should be added as a compulsory subject in the curriculum of law courses.

2. Social Actions:

(i) The neighbours, relatives and elders of the disputants are the first and foremost source of persuasive social action. They should play pre-dominant role to convince the disputing parties for resolution of their disputes through Lok Adalats.

(ii) The law teachers, students and social workers are a good source of legal awareness about the merits and benefits of conciliatory method of Lok Adalat. They should play their respective roles to educate the people to settle their disputes through conciliatory efforts of Lok Adalats, Samjhuta Sadans and Permanent Lok Adalat.

(iii) Social organizations like women, labour, business, trade, caste and non-government are the organized type of social action. These organization should motivate and help the disputants in their respective fields to resolve their cases through easy and accessible Lok Adalat mechanism.

(iv) Political parties are the modern lighthouses for the people of their parties. The leaders of the parties are considered as role model for the party men. Political parties should promote the Lok Adalat system as a party agenda.

(v). Religious organizations and missionaries can convince their followers to lead peaceful, harmonious and compromising life in a better manner. Therefore,
respectfully submitted that the religious leaders, organizations and missionary people should play their religious/missionary charm to popularize the amicable, cost free and easy justice delivery system known as Lok Adalat.

(vi.) The local bodies like panchayats, municipalities and corporations are blood and veins of the welfare system. They should adopt and promote the Lok Adalat system as a welfare measure for the people. To achieve this purpose, the local bodies should constitute the committee in order to encourage, guide and educate the people of their respective areas to come forward to resolve their dispute through the noble institution of Lok Adalat.

(vii.) To win the faith of people in the Lok Adalat system, the practice of long speeches and unnecessary pump and show should be minimized. The organizers should concentrate on explaining the far reaching advantages of the system and focus on its performance.

(viii.) There should be effective coordination among the legal services authorities, government departments, social organizations, etc. for strengthening the Lok Adalat mechanism.

(ix.) The study of Lok Adalat system should be part of school curriculum to inculcate the conciliatory adjudicatory system in the students from the very beginning.

Mass media is the most significant modern method of social action. It should be used to create awareness among people about the merits of Lok Adalat forum as an alternative dispute resolution method. It is respectfully submitted that the aims, objects, features and advantages of this unique institution should be publicized by press, radio, television, cinema, and Internet; by displaying of boards, posters and hoardings at conspicuous places: by publication and distribution of material about it in books and periodicals, and by pamphlets and leaflets in area surrounding the place of holding of Lok Adalat. Apart from these methods, slogans regarding the benefits of Lok Adalat system should be penned at tickets and bills of public utility services, etc. in order to universalize the system.