

A Comparative Legal Assessment of Lok Adalats, E-lokadalats and Future of Lok Adalats in Odisha

Sairam Patro

How to cite this article:

Sairam Patro. A Comparative Legal Assessment of Lok Adalats, E-lokadalats and Future of Lok Adalats in Odisha. Indian J Law Hum Behav 2024;10(1):49-56.

Abstract

The Lok-Adalat is one of techniques for the ADR instrument. There is no court charge dispensed when a matter is recorded in a Lok Adalat. The Member Secretary of State Legal Services Authority puts together the Lok Adalat occasionally for comprising the seats of the Lok Adalat. The Secretary of the High Court Legal Services Committee would address seats of the Lok Adalat, each seat involve a sitting or resigned judge of the Great Court. Motor Accident claims/ Land acquisition cases/ family disputes cases in the months of March, July and October on dates to be notified later either by SLSA concerned or NALSA; IPR matters/ Consumer matters/also other matters pending before any other quasi-judicial authority on dates to be notified later by SLSA. Lok Adalats is not only an effective means of redress but it also helps in reducing the burden on the courts in a fast and cost effective manner. The people's courts have greatly improved and praised the legal system.

Keywords: Lok Adalats; E-lokadalats; ADR; SLA; NLA.

INTRODUCTION

The Lok-Adalat is one of techniques for the ADR instrument. 'Lok' means 'people groups' and importance of the 'Adalat' is 'court'. The foundation of Lok-Adalat, in India, signifies 'People groups' Court'. It is a para legal establishment being coordinated by individuals themselves. India has

long custom of various strategies being rehearsed in the general public.

Lok Adalat is one of the elective debate redressal gathering by which questions/cases anticipating in the courtroom or at pre-prosecution stage are created/compromise amicably. Lok Adalats have been known sacred situation in the Legal Authority Act, 1987. Under the said Act, the choice made by the Lok Adalats is considered to be a decision of a common court and is conclusive and obligatory on all gatherings and no request against such an honor untruthfulness under the watchful eye of any courtroom. In the event that the gatherings are not satisfied with the compensation of the Lok Adalat however there is no arrangement for an appeal against for an honor, yet they are allowed to start legal dispute by impending the court of reasonable control by documenting a case as required process, in exercise of their precise to bring a legal dispute.

Author Affiliation: Member Faculty, Department of Law, Lingaraj Law College, Berhampur, Odisha 760010, India.

Corresponding Author: Sairam Patro, Member Faculty, Department of Law, Lingaraj Law College, Berhampur, Odisha 760010, India.

Email: drsairampatro@gmail.com

Received on 22-09-2023

Accepted on 02-10-2023

There is no court charge dispensed when a matter is recorded in a Lok Adalat. On the off chance that a matter forthcoming in the official courtroom is alluded to the Lok Adalat and is grown a short time later, the court expense at first paid in the court on the grumbings/request is likewise discounted switched to the gatherings. The people who are concluding the cases in the Lok Adalats are likewise called the Individuals from the Lok Adalats. The job of legal conciliators are not play any lawful part; thusly they can impact the gatherings to way to deal with an end to resolve the debate outside the court in the Lok Adalat and they have the engage to will not drive or urge any of the gatherings to discussion or settle cases or matters either straightforwardly or by implication. The Lok Adalat not just choose the matter for alluded cases at its own occurrence, rather similar would be settled based on the exchange or goal between the gatherings. The individuals will assist the gatherings in an independent and nonpartisan way in their work to arrive at well disposed settlement of their contention.

SIGNIFICANCE OF THE LOK ADALAT

Nature of Cases to be Referred to Lok Adalat

- Any kind of case forthcoming under the watchful eye of any court.
- Any sort of question which has not been brought under the steady gaze of any court and is probably going to be documented under the watchful eye of the court.
- Further it is expressed that that some other matter connecting with compoundable offenses under the law will not be gotten comfortable the Lok Adalat.

Cases Referred to the Lok Adalat for Settlement

A) Case forthcoming under the steady gaze of the court:

Assuming the gatherings are commonly consent to resolve the debate in Lok Adalat or one of the gatherings' makes an application to the court or the court is satisfied to express that that the matter is a reasonable for settlement in Lok Adalat-B) Any dispute at pre-litigation stage.

The State Legal Authority as the case might be on receipt of an application from any of the gatherings to any pre-suit stage matter allude such make a difference to the Lok Adalat for neighborly

settlement.

At the State Authority Level

The Member Secretary of State Legal Services Authority puts together the Lok Adalat occasionally for comprising the seats of the Lok Adalat and it is expressed here seat contains a sitting or resigned judge of the Great Court or a sitting or resigned legal official and any either of-a part from the lawful calling; a social laborer drew in for the upliftment of the more fragile segments of individuals and intrigued for the fulfillment of lawful administrations plans.

At High Court Level

The Secretary of the High Court Legal Services Committee would address seats of the Lok Adalat, each seat involve a sitting or resigned judge of the Great Court and any either of a part from the legitimate calling; a social laborer present for participating in the upliftment of the more fragile segments and keen on the execution of legitimate administrations plans.

At District Level

The Secretary of the Region Legal Authority sorting out the Lok Adalat would comprise seats of the Lok Adalat, each seat involving a sitting or resigned legal official and any either of either a part from the lawful calling; or potentially a social laborer participated in the upliftment of the more fragile segments and keen on the execution of lawful administrations plans or projects or an individual took part in para-legitimate exercises of the region, preferably a woman.

As per the Lok Adalat schedule for the year, 2023, a District Level Lok Adalat was held across the State on 11th March 2023 on the subjects, as specified by NALSA. In the said Lok Adalat, total 1,33,125 Cases were placed, which include Motor Accident Claims Cases-1922, IPR matters-12, Consumer matters-130, Land Acquisition Cases-721, Family disputes-1754, Revenue cases-1,27,647 and other ancillary matters-pending in any quasi-judicial authority & instituted before the State/District/Taluk Authorities-939 and out of the which, 1,11,969 Cases were disposed of/settled which include Motor Accident Claims Cases-233, IPR matters-02, Consumer matters-20, Land Acquisition Cases-70, Family disputes-235, Revenue cases-1,11,647 and other ancillary matters-pending any quasi-judicial authority & instituted before the State/District/Taluk Authorities-157. Total settlement amount involves in disposal/

settlement of the aforesaid cases comes to Rs. 21,93,75,095/-

At Taluk Level

The Secretary of the Taluk Legal Services Committee sorting out the Lok Adalat would comprise seats of the Lok Adalat, each seat involving a sitting or resigned legal official and any either of either a part from the legitimate calling; or potentially a social laborer participated in the upliftment of the more fragile segments and keen on the execution of lawful administrations plans or projects or an individual took part in para-legitimate exercises of the region, preferably a woman.

National Lok Adalat

National Level Lok Adalats are held for at standard stretches where on a solitary day Lok Adalats are held all through the country, in every one of the courts right from the High Court till the Taluk Levels wherein cases are arranged off on a large scale. From February 2015, Public Lok Adalats are being hung on a particular topic consistently.

The 3rd National Lok Adalat which was organized across the country on 13.08.2022, disposed off following number of cases:

Table 1: Table showing no. of pre-litigation cases, pending cases and total cases disposed off during the year 2022

Pre-litigation Cases Disposed off	Pending Cases Disposed off	Total Cases Disposed off
82,46,801	26,04,752	1,08,51,553

Source: <https://www.pib.gov.in/>

The above shows that out of total cases 1,08,51,553 the number of pre-litigation cases include 82,46,801 has been disposed off as on 13.8.2022 and pending cases disposed off 26,04,752.

Table 2: Acomparative analysis on no. of pre-litigation cases, pending cases and total cases disposed off during the year 2021 and 2022

Year	Pre-litigation Cases	Pending Cases	Grand Total
2021	72,06,294	55,81,743	1,27,88,037
2022	3,10,15,215	1,09,10,795	4,19,26,010
Total	3,82,21,509	1,64,92,538	5,47,14,047

Source: <https://www.pib.gov.in/>

On the other hand table 2 shows that a comparative analysis on pre-litigation cases during the year 72,06,294 and pending cases was 55,81,743. While pending cases was 55,81,743 in the year 2021. At the same time in the year 2022 the number of

pre-litigation cases was 3,10,15,215 while pending cases was 1,09,10,795.

Table 3: Date of National Lokadalat held during the year 2023

Serial No	Date of National Lok Adalat
1	11.02.2023
2	13.05.2023
3	09.09.2023
4	09.12.2023

Source: <https://districts.ecourts.gov.in/lok-adalat->

The scope of the National Lok Adalat are as under:

- I. The cases grant permission be applied as per the process as arbitrary under the pronounced Act and Regulations.
- II. At each level, conference at regular intervals will further be systematized with collaborators and exertions will be made to take all working board.
- III. It is necessary that cases, in the way, there is sphere for friendly conclusion are identified earlier and convenient notices make public to the bodies.
- IV. It is imperative that cases, wherein there is scope for amicable settlement are identified in advance and timely notices be issued to the parties.
- V. Followed by arrangement of the cause lists and establishment of as many desks as necessary and to inform on their specific notice boards / websites.
- VI. Followed by preparation of the cause lists and constitution of as many benches as required and to notify on their respective notice boards/ websites.
- VII. Necessary instructions may be given to all parties to conduct an Adalat or pre-conciliation hearing before the date of the National Lok Adalat to give the parties an opportunity to negotiate with a view to settlement or agreement.
- VIII. There is no daily or weekly Lok Adalat conducted by SLSA or DLSA throughout the year. NALSA Page 3 of 4.
- IX. Adaptation and use of technology or digital platforms will be encouraged in the NLA organization.
- X. In the event of an outbreak Lok Adalat will be difficult to conduct while following

public health protocols and social distancing which requires the use of technology and continued acceptance of better approaches through adjustments in technology platforms.

- XI. NALSA will continue to receive regular updates on the progress of the KLA preparations. 8. In general the following types of lawsuits (prelitigation and pending) can be taken for resolution in the above-mentioned National Adalat.

Lok Adalats on specific topics like MAC IPR. SLSA is asked to plan and arrange Lok Adalats in consultation with stakeholders which may be arranged further.

Motor Accident claims/ Land acquisition cases/ family disputes cases in the months of March, July and October 2023 on dates to be notified later either by SLSA concerned or NALSA; IPR matters/ Consumer matters/ also other matters pending before any other quasi-judicial authority on dates to be notified later by SLSA.

In the 1st National Lok Adalat held on 11.02.2023, total 617 cases which include MAC Appeals, Service matters, Bank matters relating to SARFAESI Act, Land Acquisition matters, Electricity matters, Criminal Compoundable cases, matrimonial cases and Industrial disputes matters were identified for disposal by the High Court and out of the same, 54 cases were settled/disposed of in total, which include MAC Appeals 38, Service matters-01, Bank matters relating to SARFAESI Act-05, Land

Acquisition matters-04, Electricity matters-01, Criminal Compoundable & matrimonial matters-05. A sum of Rs. 2,86,05,986/- towards compensation was awarded in the aforesaid MAC Appeals.

Similarly, in the 2nd National Lok Adalat held on 13.05.2023, total 650 cases were placed which include MAC Appeals, Service matters, Bank matters relating to SARFAESI Act, Land Acquisition, Electricity matters, Criminal Compoundable & matrimonial matters, N.I. Act cases, Matrimonial matters, Industrial disputes and Other cases and out of the same, 61 cases were settled/disposed of in total, which include MAC Appeals 48, Bank matters relating to SARFAESI Act-05, Electricity matters-06, N.I. Act matters-01 and Matrimonial matters-01. A sum of Rs. 3,51,39,200/- towards compensation was awarded in the aforesaid MAC Appeals.

Revenue and other ancillary matters, instituted before state/ district/ taluka authorities on dates to be notified later by SLSA. Therefore, you are requested to plan and organise Lok Adalats in the year 2023 accordingly. Also, it is requested to place this communication before Hon'ble Executive Chairperson, SLSA and communicate to all concerned.

Table 4:

Date of National Lok Adalat	Cases placed	Cases settled	Settlement amount (in Rs.)
11.02.2023	617	54	2,86,05,986/-
13.05.2023	650	61	3,51,39,200/-

Table 5: Type of cases, taken up, disposed of and settlement amount Odisha State Legal Services Authority, Cuttack.

Cases disposed by subordinate courts in the 3rd National Lok Adalat held on 13.08.2022					
Sl. No.	Type of cases	Taken up	Disposed of	Settlement amount	
1	NI Act U/s. 138	0	0	0	
2	Bank Recovery cases	80,735	2,627	105,885,329	
3	Labour and employment disputes	17	11	848,452	
4	Electricity, water bill and other bill payment cases (excluding non-compoundable)	6	7	81,000	
5	Maintenance cases	4	1	0	
6	Other (Criminal Compoundable and other Civil Disputes)	29,972	25,476	2,406,441	
	Total	110736	28122	109,221,222	
Sl. No.	Type of cases (categories)	Pending cases			Number of cases not reflected on NJDG (out of column no. (b) i.e., disposed of cases
		A	B	C	
1	Criminal Compoundable offences	3445	341	8384074	38
2	NI Act U/s. 138	5561	1236	189732756	778

Table to be cont....

3	Bank Recovery cases	5539	606	77241276	19
4	MACT cases	4479	1306	726098829	52
5	Labour and employment dispute cases	22	19	3190234	18
6	Electricity, water bill and other bill payment cases (excluding non-compoundable)	182	18	130834	5
7	Matrimonial disputes	2232	607	12288900	112
8	Land acquisition cases (pending in district court and High court only)	26	14	0	11
9	Service matters relating to pay and allowances and reiterate benefits	26	14	0	11
10	Revenue cases (pending in district court and High court only)	81206	51855	18014939	43738
11	Other civil cases (rent easmentary rights, injunction, suits, specific performance suits)	3595	1421	64451690	126
12	Industrial disputes	3	0	0	0
13	Other criminal cases under MV Act, IPC, Petty cases, cases under the Municipal Act, Railway Act, Bailore Misc cases etc.	93486	84671	737079	42647
14	Consumer cases	0	0	0	0
15	Debts Recovery Tribunal	26	16	0	0
16	State Education Tribunal	4	0	0	0
Total		200122	142111	1089322511	86943

Source: Odisha State Legal Services Authority, Cuttack as on 13.8.2022.

The above figure shows that no. of cases disposed by the subordinate court during the year 2022. The disposed cases are also enumerated in the table 5.

The National Lok Adalat held in Orissa High Court has managed to settle around 15.64% of the cases taken up by different benches. The Lok Adalat benches awarded Rs. 2.94 crore in insurance cases during the year 2023. The National Lok Adalat aims to decrease the pendency of court cases by providing prompt and economical justice to people at large. 1.49 lakh cases are pending in Orissa High Court as per official record. About 789 cases were listed in four Lok Adalat benches under the aegis of Orissa High Court Legal Services Committee along with the Odisha State Legal Services Authority. There are about 105 were related to insurance cases which include General Insurance Companies *i.e.*, New India Assurance Company, National Insurance Company, United Insurance Company, and other private insurance companies participated.

The other cases involved matters related to education, land acquisition, bank, criminal, etc. The two National Lok Adalats were held in the High Court on March 9 and July 13, 2023 The Lok Adalat benches had settled 127 cases and 109 cases with disposal rates of 16% and 13% respectively.

In the two Lok Adalats, compensation to the tune of Rs. 6.29 crore and s. 6.77 crores were awarded respectively in insurance cases.

PERMANENT LOK ADALAT

The other kind of Lok Adalat is the Long-lasting Lok Adalat, coordinated under Area 22-B of The Lawful Administrations Specialists Act, 1987. Permanent Lok Adalats have been set up as long-lasting bodies with an Executive and two individuals for giving necessary pre-litigation component to placation and settlement of cases connecting with Public Utility Administrations like vehicle, postal, transmit and so on. Here, regardless of whether the gatherings neglect to reach to a settlement, the Super durable Lok Adalat gets purview to conclude the question, gave, the debate connects with no offense. The honor of the Permanent Lok Adalat is conclusive and restricting upon the gatherings. The Lok Adalat might lead the procedures in such a way as it considers suitable, considering the conditions of the case, wishes of the gatherings like solicitations to hear oral explanations, quick settlement of question and so forth.

The Indian legal framework has fostered various strategies to battle the issues of defer in conveying equity and to lessen accumulation of courts. One such framework is Lok-Adalat which offers prosecutors a valuable chance to resolve their debates genially and in a consensual way. The administrative acknowledgment of these Adalats under the Legal Authority Act, 1987 has additionally upgraded their standing as one of the significant sections of the ADR component. The Legal Authority Act 1987 was established to satisfy the protected goal consolidated in Article 39-An of the Constitution of India for guaranteeing that valuable open doors for getting equity are not

denied to any resident by reason of financial or different handicaps. The Demonstration contains different arrangements for settlement of questions. Consequently, the antiquated idea of settlement of debate known as People groups' Court decision is conceptualized and institutional in the way of thinking of Lok-Adalat. Subsequently, the Lok-Adalat development is not any more a trial in India. It is presently a triumph and should be reproduced in issues which have not yet been under the space of Lok-Adalat. Mahatma Gandhi, the Dad of Country was likewise a resolute devotee of Panchayat Raj for settling the questions at reasonable expenses.

Table 6: No. of Pre-litigation disputes instituted, No. of Pre-litigation disputes settled, No. of Pre-litigation disputes pending upto 30.06.2023.

No. of Pre-litigation disputes were pending as on 31.12.2022	No. of Pre-litigation disputes instituted during the period	No. of Pre-litigation disputes settled during the period	No. of Pre-litigation disputes pending as on 30.06.2023
3192	690	1147	2735

MEDITATION

The mediation activities are being carried out in the Alternative Dispute Resolution (ADR) Centre Buildings situated one each in 16 districts of the State and in rest 14 districts the mediation activities are being carried out in the District Legal Services

Authority office of the respective districts. During the period w.e.f. 1st January, 2023 to 30th June, 2023 the District Mediation Centres have received 480 cases referred from the Courts, out of which 586 cases have been disposed of, including 364 pending cases of previous year in the mediation centres and 42 cases have successfully been settled between the parties.

Table 7: Cases pending, Cases Referred, Cases Disposed, Total Disposed and pending cases.

Cases Pending as on 31.12.2022	Cases Disposed of			Total Disposed of	Pending Cases
	Cases Settled	Cases UnSuccessful	Non-Starter Cases		
364	480	42	338	586	258

During this period, the District Mediation Centres have received 104 applications for Pre-Litigation Mediation from the applicants, out of which 134 applications have been disposed off,

including 78 pending cases of previous year and 13 Pre-Litigation cases have successfully been settled between the parties through mediation.

Table 8: Pre-Litigation Disputes Received by the District Mediation Centres w.e.f. 01.01.2023 to 30.06.2023

Cases pending as on 31.12.2022	Cases Referred	Cases Disposed of			Total Disposed of	Pending cases
		Cases Settled	Cases UnSuccessful	Non-Starter Cases		
78	104	13	28	93	134	48

Similarly, during the period the District Mediation Centres have received 391 applications under the Pre-Institution Mediation & Settlement in Commercial matters (PIMS), out of which 450

applications have been disposed off, including 140 applications of previous year and 1 Commercial dispute have successfully been settled between the parties through mediation.

Table 9: Pre-Institution Mediation & Settlement in Commercial Matters (PIMS) Received by the District Mediation Centres w.e.f. 01.01.2023 to 30.06.2023

Cases pending as on 31.12.2022	Cases Referred	Cases Disposed of			Total Disposed of	Pending cases
		Cases Settled	Cases Unsuccessful	Non-Starter Cases		
140	391	01	03	446	450	81

Table 10: Statement Showing the Legal Aid Beneficiaries in the High Court Legal Services Committee

Year	General Category	S.C. Category	In Custody	Women	S.T. Category	Total
2023 up to June	37	13	66	35	04	155

Source: Half Yearly Report of OSLSA, 1st January to 30th June, 2023

E-LOK ADALATS

E-Lok Adalats have been organized in 28 States and UTs namely Andhra Pradesh, Arunachal Pradesh, Bihar, Chhattisgarh, Chandigarh, Delhi, Goa, Gujarat, Haryana, Himachal Pradesh, Jammu & Kashmir, Jharkhand, Karnataka, Kerala, Madhya

Pradesh, Maharashtra, Manipur, Meghalaya, Mizoram, Odisha, Punjab, Rajasthan, Sikkim, Telangana, Tripura, Uttar Pradesh, Uttarakhand and West Bengal. In total, 259.92 lakh cases were taken up out of which around 53.38 lakh cases were disposed of. The data of the cases disposed of from June, 2020 to September, 2022 are as under:-

Table 11: Table showing no. of Pre-litigation cases, Pending cases in court from June 2020 to September 2022.

Pre-litigation cases		Pending cases in court		Total	
Taken up	Disposal	Taken up	Disposal	Taken up	Disposal
16378857	3839258	9613800	1499042	25992657	5338300

Source: Orissadiary.com

The e-Court concept has been extended to the Lok Adalats of Odisha and the first e-Lok Adalats have been held in the 30 District Courts and the Orissa High Court. The entire trial was conducted via video conference among the judges, lawyers, litigants, insurance companies and bank representatives. On that day at least 107 motorcycle accident cases were awarded by the Supreme Court in E-Lok Adalat awarding plaintiffs around Rs. 7 billion. Similarly at the district level e-lokadalats have resolved a total of 665 traffic incidents and approximately 300000 claims have been resolved and satisfied. Decisions made by Lok Adalats under the Legal Services Institutions Act shall be deemed to be decisions of civil courts and shall be final and binding on all parties.¹

Future of Lok Adalats

Due to advances in technology Lok Adalats has reached the cusp of all parties. Now parties can participate in Lok Adalat proceedings from the comfort of their home or workplace saving them the hassle of traveling and having to book an entire day for a case that ends in minutes. Authorities testified that several people attended the virtual

meeting which was hundreds of kilometers away from the actual location where Lok Adalat was held. The technology also provides effective means of surveillance and surveillance for Lok Adalat

Lok Adalats is not only an effective means of redress but it also helps in reducing the burden on the courts in a fast and cost effective manner. The people's courts have greatly improved and praised the legal system. In line with NALSAs vision the pursuit of justice is made more accessible with the increased vigilance of Lok Adalat. Mr. Justice Cole has given important instructions to NALSA for the upcoming National Lok Adalats session to be held at PAN India to strengthen the institutional participation of the general public in the provision of prompt and affordable justice.

CONCLUSION

Lok Adalats have become an integral part of the Indian legal system and a gateway to justice for the poor and downtrodden. They have bridged the legal aid gap but still have some areas of improvement that could further increase their efficiency. While

they have succeeded in bridging the gap in access to justice their effective reforms need to be undertaken to provide real access to justice for the disadvantaged. Finally it can be concluded that Lok Adalats can do more than meets the eye to create a better prevention system against the emergence of litigation.

Court was rated as inadequate for various reasons. This is where the courts again fail to bring about social reforms aimed at promoting legal equality. In general using Lok Adalat is not an option but the only possible means of recourse to justice. Lok Adalat increased poor parties access to justice but in doing so perpetuated the division of power between rich and poor. Large-scale social change movements appear to have no place in the District Court.

REFERENCES

1. Bhargave, Prabha, *"Lok Adalat: Justice at the Door Steps"*, Ina Shree Publication, (2006).
2. Chitkara, M.G., *"Lok Adalat and the Poor, A Socio-constitutional Study"*, Ashish Publishing House, New Delhi, 1993.
3. Das, Mahendra Kumar, *"The Legal Services Authorities Manual with Lok Adalat Rules"*, Orissa Law Review, Cuttack, 2016.
4. Deshta, Sunil, *"Lok Adalats in India-Genesis and Functioning: People's Programme for Speedy Justice"*, Deep and Deep Publication, New Delhi, 1995
5. Khan, Sarfaraz Ahmed, *"Lok Adalats: An Effective Alternative Dispute Resolution Mechanism"*, APH Publishing Corpn, New Delhi, 2006.

